

Also, a bill (H. R. 15489) for the relief of Hiram S. Hurlbut; to the Committee on Military Affairs.

By Mr. SMITH of Michigan: A bill (H. R. 15490) granting a pension to Tillie Parkhurst; to the Committee on Invalid Pensions.

By Mr. WHITE of Kansas: A bill (H. R. 15491) granting a pension to Hester A. Barber; to the Committee on Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

4775. By Mr. DARROW: Petition of the Philadelphia Board of Trade, favoring daylight-saving legislation; to the Committee on Interstate and Foreign Commerce.

4776. By Mr. GALLIVAN: Petition of the Cadillac Automobile Co., of Boston, urging the appropriation for the Bureau of Foreign and Domestic Commerce; to the Committee on Appropriations.

4777. Also, petition of the Gillette Safety Razor Co., of Boston, Mass., favoring an amendment to the tariff laws; to the Committee on Ways and Means.

4778. Also, petition of Stephen J. Francis, of Dorchester, Mass., and John F. Patrick, of Dorchester, Mass., favoring the passage of the special post-office clerks' bill, H. R. 15323; to the Committee on the Post Office and Post Roads.

4779. Also, petition of the W. M. Weston Co., of Boston, Mass., favoring a change in the excess-profits methods, and the Smith-Patterson Co., of Boston, Mass., opposing any increase of taxes on jewelers; to the Committee on Ways and Means.

4780. Also, petition of Stone & Webster (Inc.), Boston, Mass., favoring the appropriation for the United States Geological Survey; to the Committee on Appropriations.

4781. By Mr. RANDALL of California: Petition of the Parent-Teachers' Association and citizens of Claremont, Calif., favoring enactment of Smith-Towner bill to create a department of education; to the Committee on Education.

4782. By Mr. VARE: Petition of the Philadelphia Board of Trade, protesting against the passage of bill H. R. 13201; to the Committee on Ways and Means.

4783. By Mr. WINSLOW: Petition of the Haverhill Credit Bureau, of Haverhill, Mass., favoring 1-cent drop-letter postage; to the Committee on the Post Office and Post Roads.

SENATE.

Monday, January 3, 1921.

Rev. J. J. Muir, D. D., of the city of Washington, offered the following prayer:

Our Father and our God, we bless Thee for the privilege of seeing the opening of another year, and we pray for Thy guidance and help through all the manifold duties and problems that may be confronting us. Grant Thy blessing and guidance for these Thy servants in their highly responsible tasks. We ask it for the glory of Thy great name, through Christ our Lord. Amen.

BOIES PENROSE, a Senator from the State of Pennsylvania; JAMES D. PHELAN, a Senator from the State of California; and ANDRIEUS A. JONES, a Senator from the State of New Mexico, appeared in their seats to-day.

The reading clerk proceeded to read the Journal of the proceedings of Thursday last, when, on request of Mr. Smoot and by unanimous consent, the further reading was dispensed with and the Journal was approved.

NATIONAL SOCIETY OF DAUGHTERS OF AMERICAN REVOLUTION.

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Smithsonian Institution transmitting, pursuant to law, the annual report of the National Society of the Daughters of the American Revolution for the year ended March 1, 1920, which was referred to the Committee on Printing.

CREDENTIALS.

The VICE PRESIDENT laid before the Senate a certificate of the governor of Utah certifying to the election of REED SMOOT as a United States Senator for the term beginning March 4, 1921, which was read and ordered to be filed, as follows:

STATE OF UTAH,
Executive Department.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 2d day of November, A. D. 1920, REED SMOOT was duly chosen by the qualified electors of the State of Utah

a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the 4th day of March, A. D. 1921.

Witness his excellency our governor, Simon Bamberger, and our seal hereto affixed at Salt Lake City, Utah, this 31st day of December, in the year of our Lord 1920.

[SEAL.]

SIMON BAMBERGER,
Governor.

By the governor:

HARDEN BENNION,
Secretary of State.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the Speaker of the House had appointed Mr. PAIGE as a member of the commission provided for in section 6 (a) of the act entitled "An act making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1921, and for other purposes," approved April 24, 1920, in the place of Mr. MADDEN, resigned.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills, and they were thereupon signed by the Vice President:

S. 429. An act to authorize an exchange of lands with Henry Blackburn;

S. 1447. An act to correct the naval record of Fred C. Konrad;

S. 1546. An act for the relief of Katie Norvall;

S. 1743. An act for the relief of Matthew McDonald;

S. 2278. An act for the relief of John Healy; and

S. 3218. An act for the relief of Martina Sena, Luis E. Armijo, and Maria Baca de Romero.

PETITIONS.

Mr. PENROSE presented a petition of sundry citizens of the State of Pennsylvania praying for the enactment of legislation to pay a bonus to ex-service men who served in the World War; which was referred to the Committee on Finance.

He also presented a petition of the Philadelphia Bourse, of Philadelphia, Pa., favoring the repeal of the excess-profits tax, the substantial elimination of the surtaxes, and abandonment of discriminatory profits taxation; which was referred to the Committee on Finance.

He also presented a petition of Capt. Charles D. Gridley Garrison No. 4, Department of Pennsylvania, Army and Navy Union, of Erie, Pa., favoring increased retired pay for volunteer officers and enlisted men who served in the Army, Navy, or Marine Corps and Public Health Service; which was referred to the Committee on Military Affairs.

Mr. CAPPER presented a resolution in the nature of a petition by the Chamber of Commerce, of Arkansas City, Kans., favoring the designation of the Chilocco Indian School as an agricultural and industrial institution; which was referred to the Committee on Indian Affairs.

Mr. KENDRICK (for Mr. WARREN) presented a telegram in the nature of a petition of the Fremont County Wool Growers' Association, of Lander, Wyo., favoring an embargo on frozen meats, hides, and wool; which was referred to the Committee on Finance.

Mr. JONES of Washington presented a report in the nature of a petition adopted on October 13, 1920, by the United States District Court, western district of Washington, southern division, praying that more drastic penalties be imposed for violations of the so-called Harrison drug act; which was referred to the Committee on Finance.

BILLS AND JOINT RESOLUTION INTRODUCED.

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. SMOOT:

A bill (S. 4748) to authorize the exchange of certain lands within the Fillmore National Forest, Utah; and

A bill (S. 4749) to provide for the disposition of boron deposits; to the Committee on Public Lands.

By Mr. PENROSE:

A bill (S. 4750) providing for the appointment of superintendents and assistant superintendents of delivery in certain post offices of the first class; to the Committee on Post Offices and Post Roads.

A bill (S. 4751) making Armistice Day a legal holiday; to the Committee on the Judiciary.

A bill (S. 4752) granting an increase of pension to Charles Stackhouse; and

A bill (S. 4753) granting an increase of pension to William F. Blanchard; to the Committee on Pensions.

A bill (S. 4754) providing for the bringing to the United States of a body of an unknown American killed on the battle

fields of France, and for the burial of the remains with appropriate ceremonies; to the Committee on Military Affairs.

By Mr. McCUMBER:

A bill (S. 4755) granting an increase of pension to Marian Martin.

A bill (S. 4756) granting an increase of pension to James Flannigan; and

A bill (S. 4757) granting a pension to Bernard Mulhern; to the Committee on Pensions.

By Mr. BALL:

A bill (S. 4758) granting a pension to Louise R. Stevenson; to the Committee on Pensions.

By Mr. POINDEXTER:

A bill (S. 4759) granting an increase of pension to Adam S. Bridgefarmer; to the Committee on Pensions.

By Mr. CAPPER:

A bill (S. 4760) granting a pension to James H. Pipes (with accompanying papers); to the Committee on Pensions.

By Mr. ELKINS:

A bill (S. 4761) granting a pension to James C. Cline; to the Committee on Pensions.

By Mr. WADSWORTH:

A joint resolution (S. J. Res. 234) authorizing transportation for dependents of Army field clerks and field clerks Quartermaster Corps; to the Committee on Military Affairs.

ACQUISITION OF OIL LANDS BY FOREIGN GOVERNMENTS.

Mr. McKELLAR. I introduce a bill relative to the acquisition of oil lands by foreign Governments, and ask that it be read at length.

The bill (S. 4747) relative to acquisition of oil lands by foreign Governments was read the first time by its title and the second time at length and referred to the Committee on Foreign Relations, as follows:

Be it enacted, etc., That deposits of oil or oil shale, or the manufactures or refined products thereof, in the United States or its Territories or dependencies, or any land containing such deposits, or any stock or bond interest in corporations owning such land or deposits, or contracts for the purchase and development of the same, when the purpose is to export such products or otherwise to use them in foreign commerce, shall hereafter not be acquired or owned by any foreign Government or by the nationals of any foreign Government whenever the United States or its nationals having a like purpose are prohibited from acquiring such lands or rights or deposits or manufactured or refined products thereof owned or controlled by the Governments of such foreign countries, directly or by their dominions, dependencies, mandatories, spheres of influence, or otherwise, or the nationals of such Governments or foreign countries: *Provided,* That in all cases where the Government of the United States or its nationals is permitted to acquire such lands or deposits, or manufactured or refined products of same, or contracts for the purchase or development of the same, under foreign Governments or their dominions, mandatories, or dependencies, a like privilege to such foreign Governments or their nationals shall be accorded by the Government of the United States.

Sec. 2. That oil or oil shale, and the manufactured or refined products of same, shall not hereafter be exported to any foreign Government or to the nationals of any foreign Government in any case where such foreign Government, its dominions, dependencies, or mandatories refuse to permit the United States or its nationals to acquire and ship the said deposits or the manufactured or refined products to the United States or otherwise to use the same in foreign commerce; or where the vessels of the United States or the vessels of the nationals of the United States are discriminated against by any foreign Government or its nationals in the furnishing of oil or oil facilities, or in the acquiring of oil-supply stations in the territory of such foreign Governments, or its dominions, dependencies, protectorates, mandatories, or spheres of influence.

Sec. 3. The Shipping Board of the United States is hereby required to report on or before July 1, 1921, what foreign Governments, dominions, dependencies, protectorates, or mandatories, if any, are violating this act, and thereafter no oil or oil shale or the manufactured or refined products of same shall be exported to any foreign Government or its nationals so reported by the Shipping Board to be violating said act. Should said Shipping Board, by resolution of its members duly spread upon the minutes, report any Government, dominion, mandatory, or dependency as violating said act, the President, under and by virtue of this act, shall at once issue his proclamation declaring an embargo against shipping any of said products to such foreign Government or its dependencies, mandatories, or nationals; nor shall any of said products be exported to any foreign Government or its nationals until the Shipping Board reports that such Government or its dominions, protectorates, or mandatories are no longer violating this act, in which case the President shall issue his proclamation removing the embargo.

Sec. 4. Whenever an attempt is made to export or ship or take out of the United States any oil or oil shale or the manufactured or refined products of same, in contravention of this act, and after the President has issued his proclamation as aforesaid, the provisions hereof shall be enforced by the same officers, with like forfeitures and penalties and under like proceedings, provided in Title 6 of the act of Congress approved June 15, 1917, being an act to punish acts of interference with the foreign relations, the neutrality, and the foreign commerce of the United States, etc., and known as the espionage act.

AMENDMENTS TO DISTRICT APPROPRIATION BILL.

Mr. PENROSE submitted an amendment intended to be proposed by him to the bill (H. R. 15130) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1922, and for other purposes, which was referred to the Committee on Appropriations.

The amendment is, on page 94, line 5, to add a new section, as follows:

SEC. 8. That officers and members of the Metropolitan police and the fire department of the District of Columbia and the United States park police shall be allowed increased compensation for the fiscal year 1922 in accordance with the provisions of the legislative, executive, and judicial appropriation act for the fiscal year 1922 at one-half the rate allowed the other employees of the District of Columbia in said act.

Mr. SHEPPARD submitted an amendment intended to be proposed by him to the bill (H. R. 15130) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1922, and for other purposes, which was referred to the Committee on Appropriations and ordered to be printed, as follows:

On page 22, insert, after line 12, the following:

Thirty-seventh Street NW., between Reno Road and Chevy Chase Circle, is hereby designated Chevy Chase Drive, and the surveyor of the District of Columbia is hereby directed to enter such change on the records of his office.

FORCIBLE ENTRY AND DETAINER.

Mr. BORAH submitted an amendment intended to be proposed by him to the bill (S. 4746) to amend the act entitled "An act to establish a code of law for the District of Columbia, approved March 3, 1901, and the acts amendatory thereof and supplementary thereto, in relation to forcible entry and detainer," which was ordered to lie on the table and be printed.

RELIEF OF DISTRESS ABROAD.

Mr. EDGE. I submit a resolution and ask that it may be read.

The VICE PRESIDENT. The resolution will be read.

The reading clerk read the resolution (S. Res. 416), as follows:

Whereas hundreds of millions of dollars are being solicited from the American people for the relief of women and children in foreign lands, and the American people, as they always do, are properly and gladly responding with unbounded liberality, in appreciation and thankfulness for their own blessings and in true sympathy for those in want; and

Whereas as a business people the people of the United States are solicitous that every dollar so contributed is really necessary and shall do a dollar's worth of good to those in need, and that no one group of unfortunates shall profit at the expense of any other group, but that all shall share equally in the relief that the American people rejoice to provide; and

Whereas most of such contributions are made on the statements of individuals and organizations soliciting subscriptions, and oftentimes without real knowledge by the generous people who make them as to actual conditions and needs—a knowledge which would stimulate, rather than discourage, American aid; and

Whereas as a practical business people they should have official knowledge in order to make their contributions the more positively efficacious: Therefore be it

Resolved, That the Secretary of State be, and he hereby is, requested to obtain at once through the consular or other official representatives of the United States in foreign lands accurate information as to the actual conditions and the needs and necessities of the women and children of various distressed nations, countries, or foreign dependencies, and transmit the same to the Senate at the earliest possible moment, so that the people of the United States may make their contributions intelligently, with the greatest good to the greatest number of sufferers, and through this information may be inspired to greater good works through confidence that their money and supplies are really necessary properly to alleviate suffering and distress.

And further to ascertain, if possible, and report to the Senate what the various Governments in which such suffering exists are doing, looking toward the alleviation of such distressful conditions.

Mr. EDGE. Mr. President, I ask the indulgence of the Senate for two or three minutes to explain what I think is the necessity for the immediate consideration of the resolution.

As every Senator well knows, there is an intensive campaign on at the present moment to raise, or proposing to raise, millions of dollars for relief abroad. It does seem to me that the American people are entitled to and should have, without questioning in the slightest degree the humanitarian purpose and the necessity therefor, all the information it is possible for the Government to obtain for them. We have complete representation, of course, through our consuls, throughout the world and in these particular points where it is proposed that the relief shall be expended.

I am quite sure, if the information could be secured, it would be welcomed by those who are giving their time endeavoring to raise these large sums. If all that we hear is true, and these great sums are necessary, then such actual report will stimulate the collections. If they are not, necessarily and most certainly the American people should know it. So it appears to me as a businesslike resolution absolutely backing up and in the interest of making the campaign successful.

I ask unanimous consent for the immediate consideration of the resolution.

The VICE PRESIDENT. Is there objection to the present consideration of the resolution?

The resolution was considered by unanimous consent and agreed to.

KERENSKY GOVERNMENT OF RUSSIA.

Mr. NORRIS. I submit a Senate resolution calling on the Secretary of the Treasury for certain information. I ask that it be read, and then I shall ask unanimous consent for its present consideration.

The VICE PRESIDENT. The resolution submitted by the Senator from Nebraska will be read.

The resolution (S. Res. 417) was read, as follows:

Resolved, That the Secretary of the Treasury be, and he is hereby, directed to furnish to the Senate the following information:

1. Are funds of the United States being used either directly or indirectly to support or maintain an embassy in the city of Washington, D. C., representing the so-called Kerensky government of Russia, and if so, how much money has been thus expended and what authority is there for such expenditure?

2. Was money advanced from the Treasury of the United States to establish a credit on behalf of the Kerensky government, and if so, in what amount, and for what purpose was it used?

3. What amount of money, if any, does the Kerensky government owe to the Government of the United States; how is it secured; what rate of interest does it bear, and when does it mature?

4. After the downfall of the Kerensky government did the Government of the United States purchase war material or other supplies from the officials of the Kerensky government with funds of the United States, and if so, what was the nature of the supplies; how much money was paid for the same; and was the purchase made at a time when the Kerensky government was indebted to the United States, and, if so, in what amount?

5. Has the Government of the United States taken any steps to reimburse itself for money advanced or loaned to the Kerensky government?

The VICE PRESIDENT. Is there any objection to the present consideration of the resolution?

Mr. UNDERWOOD. Mr. President, do I understand the resolution is offered for immediate action?

The VICE PRESIDENT. The Chair so understands.

Mr. UNDERWOOD. This is the first proposal of the matter, is it not?

The VICE PRESIDENT. If there is any objection the resolution will go over.

Mr. UNDERWOOD. I should prefer to have it go over until to-morrow, so that I may have a chance to look into it.

The VICE PRESIDENT. The resolution will go over under the rule.

PETER M'KAY.

The VICE PRESIDENT laid before the Senate the amendment of the House of Representatives to the bill (S. 390) for the relief of Peter McKay, which was, on page 1, line 6, to strike out the numerals "\$2,500" and insert "\$939."

Mr. POINDEXTER. I move that the Senate concur in the House amendment.

The motion was agreed to.

KATHRYN WALKER.

The VICE PRESIDENT laid before the Senate the amendment of the House of Representatives to the bill (S. 2371) for the relief of Kathryn Walker, which was, in line 9, after the word "act," to insert "Provided further, That the relief granted be made conditional upon the land being free from valid adverse claim at the time payment is made under the terms of the bill."

Mr. SMOOT. I move that the Senate concur in the amendment.

Mr. WALSH of Montana. My attention was distracted for the moment. Will the Senator state what the bill is?

Mr. SMOOT. It is a relief bill for a certain person in New Mexico. The House made an amendment to the bill providing that the beneficiary shall receive title if no valid adverse claim is made to the land. I move that the Senate concur in the amendment of the House.

Mr. WALSH of Montana. We have the original bill here?

Mr. SMOOT. The original bill is at the desk.

Mr. WALSH of Montana. I ask that it may be read.

The VICE PRESIDENT. The bill will be read.

The bill as passed by the Senate was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and is hereby, authorized and directed to issue patent to Kathryn Walker (formerly Kathryn McKnight) for the northeast quarter of section 12, township 29 south, of range 7 west, New Mexico meridian: *Provided*, That the said Kathryn Walker pay the lawful price of the land within six months after the approval of this act.

The VICE PRESIDENT. The question is on concurring in the amendment of the House of Representatives.

The amendment was concurred in.

FINANCING OF AGRICULTURAL OPERATIONS.

Mr. HARRISON. Mr. President, I read a remarkable statement in one of the afternoon newspapers during the latter part of last week. The article is headed "Houston to decide war finance fate," and is as follows:

President Wilson has sent the resolution passed by Congress reviving the War Finance Corporation to Secretary of the Treasury Houston, and will be guided in vetoing or signing the measure by his recommendations, it was learned from an authoritative source yesterday.

Houston appeared before the Senate in opposition to the resolution, which, he says, will benefit the General Electric and International Harvester Cos. and the United States Steel Corporation more than it will the farmers. It is understood that the measure will be vetoed. Should the President veto the resolution an attempt will be made to pass it over his head.

The Secretary of the Treasury appeared before the Agricultural Committee when it had under consideration the joint resolution to revive the War Finance Corporation and presented his views very fully in opposition to that joint resolution. He made the statement before the committee that there were certain large interests that would get the benefit should the corporation be revived; but Mr. Meyer, who was managing director of the War Finance Corporation and thoroughly informed as to the duties of that corporation and its operations, also appeared before the committee, and was a very fair witness. Touching the applications that were on file at the time the War Finance Corporation was suspended, he stated, on page 22 of the hearings, before our committee:

Under more or less similar arrangements the War Finance Corporation financed the export of \$12,000,000 of wheat to Belgium and \$5,000,000 of condensed milk to various countries in Europe. At the time that it was requested by the Secretary to suspend financing exports it had applications involving the export of \$17,500,000 of copper, \$2,200,000 fabricated steel to Italy, \$5,000,000 "Black Patch" tobacco from Tennessee and Kentucky, \$4,000,000 cotton to Czechoslovakia for a large southern exporter, \$25,000,000 cotton to Czechoslovakia for a group of southern bankers, \$3,000,000 for cotton to Italy by a group of bankers, \$9,000,000 by a group of bankers for export of cotton to Italy, \$24,000,000 for the export of cotton by a syndicate of banks headed by one of the largest national banks in the United States, \$2,400,000 by a group of bankers for coal to Italy, \$4,000,000 by a group of bankers for cotton to Italy, \$4,000,000 for ships to be bought or constructed in this country for Italy; in all, \$100,000,000 in applications promising practical results with adequate security, according to the opinion of the directors of the War Finance Corporation.

It is not a debatable question that it remained for those who were operating the War Finance Corporation to exercise their own judgment in allowing such applications to be taken care of as might be presented to the War Finance Corporation; and it seems to me that the words of the Secretary of the Treasury himself almost constitute an indictment against his management of the War Finance Corporation when he says that should it be revived the Bethlehem Steel Co. or the International Harvester Co. or the General Electric Co. would be benefited and the farmers of the country overlooked.

Mr. SMITH of Georgia. That would depend upon the character of the men whom he recommended for directors, would it not?

Mr. HARRISON. The Senator from Georgia is absolutely correct. We all know that if he saw fit to allow the farmers of the country to obtain loans with which to export their products, it could be done, and that, as Mr. Meyer says, when the corporation suspended business \$100,000,000 worth of applications were on file, most of which were to take care of the export of farming products of this country. If the corporation should be revived, the Congress has expressed its opinion that agricultural products should be first taken care of, and there is no good reason advanced in that particular by the Secretary of the Treasury why the War Finance Corporation should not be revived.

However, Mr. President, we all know the situation at the White House. We know that since the President was taken sick he has not been so free to advise with the Congress as he was prior to that time. We know that the information which he obtains, as a general rule, is from his cabinet officers, and it would seem to me very unfair to the country indeed, it would be very unfair to the Congress of the United States and to the representatives of the American people, should the Secretary of the Treasury have his way and his advice be taken by the President of the United States.

The Senate of the United States, by practically a unanimous vote, said that the War Finance Corporation should be revived and should resume business. There was no opposition to that proposition to amount to anything at the other end of the Capitol. The people of this country believe that some benefit will accrue from a revival of that corporation. What we now need is markets abroad and credits to obtain those markets. So I can not understand the reasoning and the attitude of the Secretary of the Treasury in continuing to oppose the revival of the War Finance Corporation after his statement to the Agricultural Committee of the Senate when the Congress has declared itself.

Let me read to the Senate the testimony of the Secretary of the Treasury on that point. Before doing so, I desire to say these questions were propounded to him, Senators, because we were fearful that this very situation might arise; we wanted to adopt means that would revive the War Finance Corporation, and we thought if the Senate and the House of Representatives should express their opinion by a majority that that corporation should be revived, the Secretary of the Treasury, being only

one man, would at least accept that direction and renew the functioning of that important corporation. So certain questions were propounded to him with that object in view.

I asked the question:

Mr. Secretary, you do not have any doubt that under the law now the War Finance Corporation could function if you and those who work with you saw fit to allow it to function?

Secretary HOUSTON. No; I think it could borrow money.

Senator HARRISON. Now, if the Congress should differ with you and your conclusions touching the operations of the War Finance Corporation, what could they do to get the thing set in motion and assist, if they thought it wise?

Secretary HOUSTON. It could direct it by legislation to do so.

Senator HARRISON. The Congress could direct it?

Secretary HOUSTON. Yes; by legislation.

Senator HARRISON. And then it could function speedily, notwithstanding any views you may have had in the past?

Secretary HOUSTON. Certainly. If a law is enacted directing the corporation to function, it goes without saying that it would function.

Senator HARRISON. The reason I say that is that some one has intimated that your past views might interfere with its functioning.

Secretary HOUSTON. I could have no discretion as to carrying out a direct mandatory act. I can exercise discretion only where the law makes it possible and where in my judgment it would be against the public interests to do a certain thing, and should I have discretionary power I would decline to do it, as in the present instance.

So, notwithstanding those statements by the Secretary of the Treasury to the committee—and the committee followed his suggestions and the joint resolution was passed through both Houses of Congress by practically a unanimous vote—we find from articles appearing in the newspapers that he is using the power of his office in advising the President to veto that very important legislation.

Mr. President, I have been one of those in this Chamber who have followed the President not only in most instances in his domestic policies but in his foreign policies as well, but if he should see fit to follow the advice of this one official of the Government, contrary to the unanimous opinion of the Congress of the United States and the sentiment of the people of the country, I hope that the Senate and the body at the other end of the Capitol will take up immediately the joint resolution and pass it over the President's veto. I shall join cheerfully in such an operation.

THE CALENDAR.

The VICE PRESIDENT (at 12 o'clock and 30 minutes p. m.). The morning business is closed. The calendar, under Rule VIII, is in order.

The first business on the calendar was the resolution (S. Res. 76) defining a peace treaty which shall assure to the people of the United States the attainment of the ends for which they entered the war, and declaring the policy of our Government to meet fully obligations to ourselves and to the world.

Mr. SMOOT. Let that go over.

The VICE PRESIDENT. The resolution will be passed over.

The bill (S. 529) for the relief of the heirs of Adam and Noah Brown was announced as next in order.

Mr. SMOOT. Let that go over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 600) for the relief of the heirs of Mrs. Susan A. Nicholas was announced as next in order.

Mr. SMOOT. Let that go over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 174) for the relief of Emma H. Ridley was announced as next in order.

Mr. SMOOT. Let that go over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 1722) for the relief of Watson B. Dickerman, administrator of the estate of Charles Backman, deceased, was announced as next in order.

Mr. SMOOT. Let that go over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 168) to create a commission to investigate and report to Congress a plan on the questions involved in the financing of house construction and home ownership, and Federal aid therefor was announced as next in order.

Mr. CALDER. I ask that the bill may go over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 2224) to incorporate the Recreation Association of America was announced as next in order.

Mr. OVERMAN. Let that go over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 1660) to provide a division of tuberculosis in and an advisory council for the United States Public Health Service, and for other purposes, was announced as next in order.

Mr. SMOOT. Let that go over.

The VICE PRESIDENT. The bill will be passed over.

The joint resolution (S. J. Res. 41) proposing an amendment to the Constitution of the United States was announced as next in order.

Mr. JONES of Washington. Let that go over, Mr. President. The VICE PRESIDENT. The joint resolution will be passed over.

The bill (S. 2457) to provide for a library information service in the Bureau of Education was announced as next in order.

Mr. SMOOT. Let that go over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 131) to provide that petty officers, noncommissioned officers, and enlisted men of the United States Navy and Marine Corps on the retired list who had creditable Civil War service shall receive the rank or rating and the pay of the next higher enlisted grade was announced as next in order.

Mr. WADSWORTH. Let that go over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 1448) for the relief of Jacob Nice was announced as next in order.

Mr. THOMAS. Let that go over.

The VICE PRESIDENT. The bill will be passed over.

The resolution (S. Res. 172) for the selection of a special committee to investigate the administration of the office of the Alien Property Custodian was announced as next in order.

Mr. THOMAS. Let that go over.

The VICE PRESIDENT. The resolution will be passed over.

The bill (S. 2785) to provide aid from the United States for the several States in prevention and control of drug addiction and the care and treatment of drug addicts, and for other purposes, was announced as next in order.

Mr. WADSWORTH. Let that go over.

The VICE PRESIDENT. The bill will be passed over.

The joint resolution (S. J. Res. 51) directing the Court of Claims to investigate claims for damages growing out of the riot of United States Negro soldiers at Houston, Tex., was announced as next in order.

Mr. SMOOT. Let that go over.

The VICE PRESIDENT. The joint resolution will be passed over.

The bill (S. 2672) to carry into effect the findings of the Court of Claims in favor of Elizabeth White, administratrix of the estate of Samuel N. White, deceased, was announced as next in order.

Mr. SMOOT. Let that go over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 2444) to create the commission on rural and urban home settlement was announced as next in order.

Mr. SMOOT. Let that go over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 3201) fixing the salary of the district attorney for the eastern district of New York was announced as next in order.

Mr. THOMAS. Let that go over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 3224) relating to the creation in the Army of the United States of the grade of lieutenant general was announced as next in order.

Mr. SMOOT. Let that go over.

The VICE PRESIDENT. The bill will be passed over.

The resolution (S. Res. 215) providing that whenever the United States becomes a member of the League of Nations this Government should present to the council or the assembly of the league the state of affairs in Ireland and the right of its people to self-government was announced as next in order.

Mr. THOMAS. Let that go over.

The VICE PRESIDENT. The resolution will be passed over.

The bill (S. 3090) to repeal the espionage act was announced as next in order.

Mr. POINDEXTER. Mr. President, I ask that the bill may go over, and I ask permission just for one moment to say that while it is reported adversely I am very glad the committee reported it, so that it is on the calendar, as it seems to me the time has come when we ought to repeal war legislation. At some appropriate time I shall undertake to bring it up.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 848) to reimburse Isalah Stephens, postmaster at McMechen, Marshall County, W. Va., for money and postage stamps stolen was announced as next in order.

Mr. SMOOT. Let that go over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 3109) to amend section 26 of the act approved July 17, 1916, known as the Federal farm loan act, was announced as next in order.

Mr. WALSH of Montana. Let that go over.

Mr. GRONNA. Mr. President, I hope the Senator will not object to the consideration of this measure. It is a very important one. We ought to take it up at the earliest possible moment.

Mr. WALSH of Montana. I ask that the bill be read.

The VICE PRESIDENT. The bill will be read.

The Assistant Secretary proceeded to read the bill.

Mr. WALSH of Montana. I ask that the further reading be dispensed with. I object to the consideration of the bill.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 1455) for the relief of John L. O'Mara was announced as next in order.

Mr. THOMAS. Let that go over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 2954) to remove the charge of desertion from the military record of Albert F. Smith, deceased, was announced as next in order.

Mr. THOMAS. Let that go over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 3152) for the relief of George W. Mellinger was announced as next in order.

Mr. THOMAS. Let that go over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 1453) for the relief of Adolph F. Hitchler was announced as next in order.

Mr. THOMAS. Let that go over.

The VICE PRESIDENT. The bill will be passed over.

The bill (H. R. 1713) authorizing and directing the Secretary of War to appoint a commission to investigate and report upon the available sources of water supply for the District of Columbia was announced as next in order.

Mr. SMOOT. Mr. President, I believe that that investigation has already been made. The Senator reporting the bill is not here; but, if newspaper reports are correct, that report has already been made, and recommendations have been made to the Secretary of War. Therefore, I ask that the bill go over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 2822) making available additional moneys for the reclamation fund, and for other purposes, was announced as next in order.

Mr. SMOOT. Let that go over.

The VICE PRESIDENT. The bill will be passed over.

The joint resolution (S. J. Res. 139) repealing the joint resolution of April 6, 1917, declaring a state of war to exist between the United States and Germany, was announced as next in order.

Mr. OVERMAN. Let that go over.

The VICE PRESIDENT. The joint resolution will be passed over.

The bill (S. 3395) to discontinue the improvement to provide a channel extending from the sea to the Charleston Navy Yard was announced as next in order.

Mr. FLETCHER. Let that go over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 3396) to discontinue the construction of a dry dock at the navy yard, Charleston, S. C., was announced as next in order.

Mr. FLETCHER. Let that go over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 310) for the relief of John Murphy was announced as next in order.

Mr. THOMAS. Let that go over.

The VICE PRESIDENT. The bill will be passed over.

The bill (H. R. 5726) to fix the compensation of certain employees of the United States was announced as next in order.

Mr. OVERMAN. Let that go over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 2292) for the relief of the William Gordon Corporation was announced as next in order.

Mr. THOMAS. Let that go over.

The VICE PRESIDENT. The bill will be passed over.

The joint resolution (S. J. Res. 151) to permit the payment for certain lands whereon Army supply bases are situated was announced as next in order.

Mr. SMOOT. Let that go over.

The VICE PRESIDENT. The joint resolution will be passed over.

The bill (S. 3430) fixing the salaries of certain United States attorneys and United States marshals was announced as next in order.

Mr. THOMAS. Let that go over.

The VICE PRESIDENT. The bill will be passed over.

The bill (H. R. 8078) to regulate the importation of coal-tar products, to promote the establishment of the manufacture thereof in the United States, and, as incident thereto, to amend the act of September 8, 1916, entitled "An act to increase the revenue, and for other purposes," was announced as next in order.

Mr. THOMAS. Let that go over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 3944) to create a Federal live-stock commission, to define its powers and duties, and to stimulate the production, sale, and distribution of live stock and live-stock products, and for other purposes, was announced as next in order.

Mr. WADSWORTH. Let that go over.

The VICE PRESIDENT. The bill will be passed over.

The bill (H. R. 1853) to reimburse E. T. Thing and S. A. Thing for losses and damages sustained by them by the negligent dipping of their cattle by the Bureau of Animal Industry, Department of Agriculture, was announced as next in order.

Mr. SMOOT. Let that go over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 3725) authorizing the Court of Claims to adjudicate the claim of Capt. David McD. Shearer for compensation for the adoption and use and acquisition by the United States Government of his patented inventions was announced as next in order.

Mr. SMOOT. Let that go over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 1391) to add certain lands to the Sequoia National Park, Calif., and to change the name of said park to Roosevelt National Park was announced as next in order.

Mr. THOMAS. Let that go over.

The VICE PRESIDENT. The bill will be passed over.

The bill (H. R. 5218) to provide revenue for the Government and to establish and maintain the production of magnesite ores and manufactures thereof in the United States was announced as next in order.

Mr. THOMAS. Let that go over.

The VICE PRESIDENT. The bill will be passed over.

The bill (H. R. 7785) to provide revenue for the Government, to establish and maintain in the United States the manufacture of laboratory glassware, laboratory porcelain ware, optical glass, scientific and surgical instruments was announced as next in order.

Mr. THOMAS. Let that go over.

The VICE PRESIDENT. The bill will be passed over.

The bill (H. R. 10074) to enlarge the jurisdiction of the Municipal Court of the District of Columbia and to regulate appeals from the judgments of said court, and for other purposes, was announced as next in order.

Mr. KELLOGG. Let that go over.

The VICE PRESIDENT. The bill will be passed over.

The bill (H. R. 7705) to amend section 339 of the tariff act of October 3, 1913, in respect to the tariff on buttons of steel and pearl was announced as next in order.

Mr. THOMAS. Let that go over.

The VICE PRESIDENT. The bill will be passed over.

The bill (H. R. 4437) to provide revenue for the Government and to promote the production of tungsten ores and manufactures thereof in the United States was announced as next in order.

Mr. THOMAS. Let that go over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 2989) for the relief of Walter I. Whitty was announced as next in order.

Mr. THOMAS. Let that go over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 3139) for the purchase of land adjoining Fort Bliss, Tex., was announced as next in order.

Mr. SMOOT and Mr. WADSWORTH. Let that go over.

The VICE PRESIDENT. The bill will be passed over.

The bill (H. R. 10918) to provide revenue and encourage domestic industries by the elimination, through the assessment of special duties, of unfair foreign competition, and for other purposes, was announced as next in order.

Mr. THOMAS. Let that go over.

The VICE PRESIDENT. The bill will be passed over.

The bill (H. R. 6238) to provide revenue for the Government and to establish and maintain the production of zinc ores and manufactures thereof in the United States was announced as next in order.

Mr. THOMAS. Let that go over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 4166) to provide for election contests in the Senate of the United States was announced as next in order.

Mr. THOMAS. I think that bill was passed.

The VICE PRESIDENT. It has not been passed yet. It is in Committee of the Whole and open to further amendment.

Mr. SMOOT. Let it go over, Mr. President.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 1519) making appropriations for expenses incurred under the treaty of Washington was announced as next in order.

Mr. OVERMAN. Let that go over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 3251) granting longevity pay from and including August 5, 1917, to certain officers and enlisted men was announced as next in order.

Mr. SMOOT. Let that go over.

The VICE PRESIDENT. The bill will be passed over.

MESSAGE FROM THE PRESIDENT.

A message from the President of the United States, by Mr. Latta, one of his secretaries, announced that the President had, on December 31, 1920, approved and signed the bill (S. 4565) extending the time for the doing of annual assessment work on mining claims for the year 1920, to and including July 1, 1921.

FINANCING AGRICULTURAL OPERATIONS—VETO MESSAGE.

The VICE PRESIDENT. The Chair lays before the Senate a message from the President of the United States, which will be read.

The Assistant Secretary read the message, as follows:

To the Senate of the United States:

I am returning, without my signature, Senate joint resolution 212:

Joint resolution directing the War Finance Corporation to take certain action for the relief of the present depression in the agricultural sections of the country, and for other purposes.

The joint resolution directs the revival of the activities of the War Finance Corporation. This corporation is a governmental agency. Its capital stock is owned entirely by the United States. It was created during hostilities for war purposes. The temporary powers which it is now proposed to revive were conferred in March, 1919, to assist, if necessary, in the financing of exports. The general powers of the corporation expire six months after the termination of the war and the special powers with respect to the financing of exports expire one year after the termination of the war. While we are technically still in a state of war, it unquestionably was presumed, when this added power was granted, that peace would have been formally proclaimed before this time and that the limitation of one year would have expired.

In May, 1920, in view of the fact that export trade had not been interrupted but had greatly expanded, and that exports were being privately financed in large volumes, the War Finance Corporation, at the request of the Secretary of the Treasury and with my approval, suspended the making of advances.

This resolution was passed by the Congress apparently in view of the recent sudden and considerable fall in prices, especially of agricultural commodities, with the thought that some European countries to which certain products were customarily shipped before the war might again be enabled to resume their importation and that larger masses of domestic exports to European countries generally might be stimulated, with the resulting enhancement of domestic prices. I am in full sympathy with every sound proposal to promote foreign trade along sound business lines. I am not convinced that the method proposed is wise, that the benefits, if any, would offset the evils which would result, or that the same or larger advantages can not be secured without resort to Government intervention. On the contrary, I apprehend that the resumption of the corporation's activities at this time would exert no beneficial influence on the situation in which improvement is sought, would raise false hopes among the very people who would expect most, and would be hurtful to the natural and orderly processes of business and finance.

Large Government credits were extended during the war to certain European governments associated with us in the struggle. These ceased several months after the armistice, except for commitments already made. They should not now be resumed, either directly or indirectly. The recent Brussels conference, composed of experts from many European countries and from other nations, itself expressed the opinion that further credits should not be accorded directly by governments. I do not believe that they should be accorded indirectly.

Exports of domestic products have not declined since the armistice. On the contrary, they have greatly increased. From an aggregate value before the war of less than two and one-half billions of dollars, and of about six billions the last year of hostilities, they rose in the calendar year 1919 to more than \$7,900,000,000, and this figure will probably be exceeded for the last calendar year. For the first eleven months of the last calendar year we exported more than seven and one-half billion dollars' worth of domestic merchandise. These have been largely privately financed. The difficulty in the way of still larger exports does not seem to lie so much in the lack of financial ability here as in Europe's lack of means to make payment. Her productive energies and the services which she renders have not yet reached a point where they balance the value of commodities taken from this Nation, and her ability to furnish

for additional exports securities which business men would feel justified in taking is restricted. The experts of the Brussels conference reported that "one of the chief obstacles to the granting of credits is the absence in borrowing countries of sufficient securities for ultimate repayment." Until this obstacle is removed it is difficult to see how materially larger exports to Europe are to be made even if exporters, aided or unaided by Government finance, stand ready to do their part. It is remarkable that Europe is able to make an effective demand for as large a volume of our goods as she is making. It is gratifying evidence of her recovery and progress toward full production and sounder financial conditions.

Under the law, if the activities of the corporation were resumed, no direct advances could be made to producers and, if they could be, they would not accomplish the objects in view. They would not create demand for our products. They could be made only to exporters or to banks engaged in financing exports, and if they did in some measure stimulate exports they would probably not have the effect apparently most desired of substantially increasing those of agricultural commodities. Already, with the larger volume of exports which Europe is taking from us, she is exercising her option of taking a smaller volume of some of our principal agricultural products, such as meats, presumably because she herself has become more largely self-sufficient, or is again providing herself with supplies from distant countries which, with the opening up of shipping since the armistice, have once more found their place in the markets of the world.

It is highly probable that the most immediate and conspicuous effect of the resumption of the corporation's activities would be an effort on the part of exporters to shift the financing of their operations from ordinary commercial channels to the Government. This would be unfortunate. It would continue the Government as an active factor in ordinary business operations. If activities of any considerable magnitude resulted, they would necessitate the imposition of additional taxes or further borrowing, either through the War Finance Corporation or by the Treasury. In either case new burdens would be laid upon all the people. Further borrowing would in all likelihood tap the very sources which might otherwise be available for private operations or which the Treasury is now compelled to reach to meet current obligations of the Government. There is no question that the borrowing of the Government should be limited to the minimum requirements, and that the Government should not be called upon further to finance private business at public expense. To the extent that Europe is able to furnish additional securities, private financial institutions here will doubtless find means of giving the necessary accommodation. The way has been opened for added legitimate efforts to promote foreign trade. Financial agencies in aid of exports, privately financed, have already been planned to operate under the act approved December 24, 1919, authorizing the organization of banking corporations to do foreign banking business. One corporation has been organized in the South and a second of large scope is in course of development. These agencies may be expected to act as promptly and as liberally and helpfully as sound business conditions will permit. Through reliance on such enterprises, rather than through Government intervention, may we expect to secure a return to stable business relations. For many months there has been a demand that war agencies should be abolished and that there should be less Government interference with business. I have sympathized with this view, and believe that it is applicable to foreign trade as well as to domestic business. I am of the opinion that now, more than two years after the armistice, the Nation should resume its usual business methods and return to its reliance on the initiative, intelligence, and ability of its business leaders and financial institutions.

We shall not witness an immediate satisfactory adjustment of domestic and international trade relations. The burdens of war are not lifted when the fighting ceases. One sad thing about war is that it leaves behind it a legacy of economic ills and of suffering from which there is no escape. Conditions, however, are improving both here and abroad. The difficulties with which we are now confronted are of small consequence in comparison with those which we have met and overcome. Fuller restoration awaits the adoption of constructive measures of large consequence: the secure establishment of a just peace in the world; the cessation of fighting everywhere; the more complete resumption in Europe of the normal courses of industry, the return of her people to sounder fiscal and banking policies, and the breaking down within her borders of harmful restrictions.

WOODROW WILSON.

THE WHITE HOUSE,
3 January, 1921.

Mr. UNDERWOOD. Mr. President, this veto message is of such great importance to the country that I hope the Senator in charge of the joint resolution will call for immediate action, and in order that absent Senators may be here and know what is before the Senate, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Assistant Secretary called the roll, and the following Senators answered to their names:

Ashurst	Glass	McKellar	Sheppard
Ball	Gronna	McNary	Smith, Ariz.
Beckham	Hale	Nelson	Smith, Ga.
Borah	Harris	New	Smith, S. C.
Brandege	Harrison	Norris	Smoot
Calder	Heflin	Nugent	Spencer
Capper	Henderson	Overman	Sutherland
Culberson	Hitchcock	Page	Swanson
Dial	Jones, N. Mex.	Penrose	Thomas
Dillingham	Jones, Wash.	Phelan	Townsend
Edge	Kellogg	Phipps	Underwood
Elkins	Kendrick	Poinexter	Wadsworth
Fletcher	Kenyon	Pomerene	Walsh, Mass.
France	Keyes	Ransdell	Walsh, Mont.
Gerry	Knox	Reed	Wolcott.

Mr. SMOOT. I wish to announce that the senior Senator from Kansas [Mr. CURTIS] is necessarily absent.

The VICE PRESIDENT. Sixty Senators have answered to the roll call. There is a quorum present.

Mr. GRONNA. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of the President's message and the joint resolution.

The VICE PRESIDENT. Is there objection? The Chair hears none. The pending question is, Shall Senate joint resolution 212 pass, the objections of the President to the contrary notwithstanding?

Mr. UNDERWOOD. Mr. President, I do not intend to delay the Senate at any length in addressing myself to the pending question, but I do not think I should let the vote come without a statement of the reason why I intend to vote that the joint resolution shall become a law notwithstanding the veto of the President.

When the joint resolution was originally before the Senate I voted in favor of its passage. I have not changed my mind as to the advisability of the measure becoming a law. I realize that the time has come when the great war endeavors of the Nation should cease and that we should readjust ourselves to peace conditions and allow business to flow along the usual channels that direct it in times of peace; but I see nothing harmful in the joint resolution and I see much that may be of service to the very distressed condition of the country.

In times of distress and financial danger there are many things that come before a legislative body that are initially wrong, fundamentally dangerous, which must be stopped, but when an opportunity comes where we may be of service in carrying the country over a dangerous situation, I think it is wise on the part of the Government to be responsive to those conditions and grant that aid as speedily as possible.

I have noted the objections stated by the President in his message. I have no point of difference with his expressed desire that war functions should cease and that we should return to peace conditions. Technically, we are still in a state of war. Technically, we can properly pass the joint resolution. During the period of the war the War Finance Corporation functioned properly and successfully in aid of business and in aid of the Government. There is no reason that I can see why it can not render aid to the people of the country as effectively now as it did during the stress of war. So far as our financial conditions are concerned, we are in a far more distressed situation to-day than we were at any period during the war.

It is not unusual, by proper methods along governmental channels, for the Government of the United States, by the weight of its influence and its power, to aid in the easing of financial conditions and distressed credit conditions.

I can recall the time many years ago when a Republican President of the United States withdrew from the Treasury tax moneys of the people and deposited them in New York banks in order to prevent financial difficulties and panic stringencies. Although that action might have been going to the extreme limit, it seemed to meet with the approval of the American people. More than that, I can recall in the hours of the present administration that the Secretary of the Treasury, through the Federal reserve system, placed moneys in the Federal reserve banks to be used for the purpose of loaning to the banks in that system in order that they might move the crops to the market of their final destination, exercising a governmental function with the power and the credit and the money of the Federal Government for the purpose of moving the crops to prevent stressed conditions at home.

All that the joint resolution proposes to do is to use the credit of the Federal Government through recognized govern-

mental agencies to secure the money to move crops to foreign markets and relieve a distressed condition at home. I see no fundamental reason against the measure if the law is carefully and safely administered. There is no danger to the Treasury and no danger to the finances of the country. The administration that is charged with carrying out the terms of the joint resolution is the same administration that properly and fairly and justly administered the law but a few months ago in the times of war distress. I see no reason why the country or the Congress should not expect, and properly expect, that the provisions of the joint resolution can be and will be administered as safely, as conservatively, and as satisfactorily as was done a few months ago. Therefore I think it should become a law notwithstanding the veto of the President.

Mr. THOMAS. Mr. President, some days ago I gave notice that I would submit to the Senate to-day, upon the close of morning business, some observations upon the treaty which had been negotiated between the United States and Colombia. I am anxious to proceed with my address, but I am reluctant to interpose it at this time in view of the importance of the subject which is under consideration, and I shall not do so unless the pending motion will result in extended discussion. If it is the intention of Senators to argue the proposal to pass the joint resolution over the veto of the President, I see no reason why I should not proceed. If not, I shall willingly wait until a final vote is taken.

Mr. NORRIS. Mr. President, I do not believe that among those who are favorable to the passage of the joint resolution there is any intention to have an extended debate. So far as I know they are ready to vote. I think if the Senator will wait a few minutes he can ascertain whether that is true. I believe there will be no debate to amount to anything.

Mr. THOMAS. I will yield the floor for the present, but with the understanding that if the debate is to be prolonged and I am able again to obtain the floor I shall proceed with my address.

SEVERAL SENATORS. Let us vote.

The VICE PRESIDENT. The Secretary will call the roll.

The Assistant Secretary proceeded to call the roll.

Mr. KENDRICK (when his name was called). I have a general pair with the senior Senator from New Mexico [Mr. FALL], which I transfer to the Senator from Arkansas [Mr. KIMB] and vote "yea."

Mr. KNOX (when his name was called). I have a general pair with the senior Senator from Oregon [Mr. CHAMBERLAIN]. In his absence, not knowing how he would vote were he present, and not being able to secure a transfer of my pair, I withhold my vote.

Mr. OVERMAN (when his name was called). I have a general pair with the senior Senator from Wyoming [Mr. WARREN]. I transfer that pair to the Senator from Arkansas [Mr. ROBINSON] and vote "yea."

Mr. PENROSE (when his name was called). I am paired with the senior Senator from Mississippi [Mr. WILLIAMS]. In his absence, and not knowing how he would vote if present, I refrain from voting. Were I permitted to vote, I should vote "nay."

Mr. POMERENE (when his name was called). Mr. President, I have temporarily a general pair with the senior Senator from Iowa [Mr. CUMMINS], who is absent. I understand that his vote, if present, would be the same as my own. I therefore vote. I vote "yea."

Mr. SMITH of South Carolina (when his name was called). I have a general pair with the Senator from South Dakota [Mr. STERLING]. I have been informed that if he were present he would vote as I am intending to vote. Therefore, upon that assurance, I am going to exercise the privilege of voting. I vote "yea."

Mr. UNDERWOOD (when his name was called). I have a general pair with the junior Senator from Ohio [Mr. HARDING]. Not knowing how he would vote if he were present, I transfer the pair to the senior Senator from Tennessee [Mr. SHIELDS] and vote "yea."

Mr. WALSH of Montana (when his name was called). I have a general pair with the Senator from New Jersey [Mr. FRELINGHUYSEN], who is absent. I transfer that pair to the Senator from Utah [Mr. KING] and vote "yea."

Mr. WOLCOTT (when his name was called). I have a pair with the Senator from Indiana [Mr. WATSON]. I do not know how he would vote if present. Therefore I am not at liberty to vote. If at liberty to vote, I should vote "yea."

The roll call was concluded.

Mr. GLASS. I have a general pair with the senior Senator from Illinois [Mr. SHERMAN]. I do not know how he would vote if present. Therefore I withhold my vote. If permitted to vote, I should vote "nay."

Mr. HENDERSON. I have a general pair with the junior Senator from Illinois [Mr. McCORMICK]. I understand, if present, he would vote as I intend to vote. I therefore vote. I vote "yea."

Mr. RANSDELL. My colleague [Mr. GAY] is absent on important business and is paired with the Senator from New Hampshire [Mr. MOSES]. If present, my colleague would vote "yea."

Mr. COLT. I have a pair with the junior Senator from Florida [Mr. TRAMMELL]. I do not know how he would vote were he present. In his absence I withhold my vote.

Mr. GRONNA. I was requested to announce that the senior Senator from Wisconsin [Mr. LA FOLLETTE] is unavoidably absent from the Chamber, but that if he were present he would vote "yea."

Mr. MCLEAN. I inquire if the senior Senator from Montana [Mr. MYERS] has voted?

The VICE PRESIDENT. That Senator has not voted.

Mr. MCLEAN. I have a general pair with that Senator and therefore will withhold my vote. If at liberty to vote, I should vote "yea."

Mr. EDGE (after having voted in the negative). I understand that the junior Senator from Oklahoma [Mr. OWEN] has not voted. I have a general pair with him, and therefore withhold my vote.

Mr. OVERMAN. I wish to announce that my colleague [Mr. SIMMONS] is unavoidably absent. If he were present, he would vote "yea."

Mr. FLETCHER. I wish to announce that my colleague [Mr. TRAMMELL] is unavoidably absent.

Mr. KELLOGG (after having voted in the affirmative). I am informed that the senior Senator from North Carolina [Mr. SIMMONS], with whom I have a general pair, if present would vote "yea," and I will therefore let my vote stand.

Mr. SMITH of Georgia. I transfer my pair with the Senator from Massachusetts [Mr. LODGE] to the Senator from North Carolina [Mr. SIMMONS] and vote "yea."

Mr. MCLEAN. I am assured that the Senator from Montana [Mr. MYERS], with whom I am paired, if present, would vote the same way that I am going to vote on this question. I shall, therefore, vote. I vote "yea."

Mr. GERRY. I was requested to announce that the Senator from South Dakota [Mr. JOHNSON], the Senator from Oregon [Mr. CHAMBERLAIN], and the Senator from Utah [Mr. KING] are absent from the Chamber by reason of illness.

I desire also to announce that the junior Senator from Tennessee [Mr. SHIELDS] and the senior Senator from North Carolina [Mr. SIMMONS] are necessarily absent.

Mr. SMOOT. I desire to announce the following pairs:

The Senator from Vermont [Mr. DILLINGHAM] with the Senator from Maryland [Mr. SMITH];

The Senator from Maine [Mr. FERNALD] with the Senator from South Dakota [Mr. JOHNSON]; and

The Senator from New Hampshire [Mr. MOSES] with the Senator from Louisiana [Mr. GAY].

The roll call resulted—yeas 53, nays 5, as follows:

YEAS—53.

Ashurst	Harris	McNary	Shepard
Ball	Harrison	Nelson	Smith, Ga.
Beckham	Hefflin	New	Smith, S. C.
Borah	Henderson	Norris	Spencer
Brandeggee	Hitchcock	Nugent	Stanley
Calder	Johnson, Calif.	Overman	Swanson
Capper	Jones, N. Mex.	Page	Townsend
Culberson	Jones, Wash.	Phelan	Underwood
Dial	Kellogg	Phipps	Wadsworth
Fletcher	Kendrick	Pittman	Walsh, Mass.
France	Kenyon	Poinexter	Walsh, Mont.
Gore	McCumber	Pomerene	
Gronna	McKellar	Ransdell	
Hale	McLean	Reed	

NAYS—5.

Elkins	Keyes	Sutherland	Thomas
Gerry			

NOT VOTING—38.

Chamberlain	Glass	Moses	Smith, Md.
Colt	Harding	Myers	Smoot
Cummins	Johnson, S. Dak.	Newberry	Sterling
Curtis	King	Owen	Trammell
Dillingham	Kirby	Penrose	Warren
Edge	Knox	Robinson	Watson
Fall	La Follette	Sherman	Williams
Fernald	Lenroot	Shields	Wolcott
Frelinghuysen	Lodge	Simmons	
Gay	McCormick	Smith, Ariz.	

The VICE PRESIDENT. The yeas are 53 and the nays are 5. A quorum being present, and more than two-thirds thereof having voted "yea," the joint resolution is passed, the objections of the President of the United States to the contrary notwithstanding.

TREATY WITH COLOMBIA.

Mr. THOMAS. Mr. President, shortly after I became a Member of this body a treaty which had been negotiated by the administration of President Taft with the Republic of Colombia was laid before the Senate. That circumstance provoked considerable interest, both in the Senate and in the country, in consequence of which I deemed it my duty to investigate the circumstances which led up to and culminated in the formation and recognition of the new Republic of Panama. During my investigation that treaty was withdrawn, and consequently we did not pass upon it.

A subsequent treaty negotiated with the same Government by President Wilson was then sent to the Senate in place of the one which had been withdrawn. Pending the consideration of that treaty I prepared some observations upon the subject and gave notice that I would present them to the consideration of the Senate. Before doing so I was requested to postpone the delivery of the address for reasons which seemed to me at the time convincing. A second notice was followed by the same result, although I then reluctantly consented to the request. Since the death of former President Roosevelt I have regretted that I consented to the postponement, because I would have much preferred to have submitted my remarks to the Senate during his lifetime. It will be recalled, however, that in the campaign of 1912 Mr. Roosevelt, as a candidate for the Presidency, became the victim of a would-be assassin, whereupon one of his competitors, Gov. Woodrow Wilson, announced that, owing to that unfortunate occurrence, he would not during Mr. Roosevelt's disability discuss any questions or propositions directly affecting or concerning him. To that announcement Mr. Roosevelt responded in these words:

Whatever could with truth and propriety have been said against me and my cause before I was shot can with equal truth and propriety be said against me now, and it should be so said; and the things that can not be said now are merely the things that ought not to have been said before. This is not a contest about any man; it is a contest concerning principles.

With the sentiment thus so well and so clearly expressed I am in the heartiest accord, and I feel therefore at liberty to read to the Senate what I have prepared without change either in substance or in expression. I might add, Mr. President, that I have had reason to expect that this treaty before now would have been laid before the Senate for its consideration, and it was because of that expectation that I determined to speak. The expected in this instance has not happened, and owing to the brevity of the present session it may not occur. Nevertheless, the result of my efforts perhaps should be laid before the Senate since those who in the future are to pass upon this very important subject may be thus relieved of the burden of much preparation that might otherwise be required.

No argument is needed to support the assertion that a sincere and cordial friendship between the United States and the Latin Republics to the south of us should have been established long ago. Nor is evidence needed to demonstrate that no such sentiment marks their opinion of our purposes, our policies, our institutions, or their intercourse with us. Our warm expressions of regard for them have not been reassuring; and our self-assumed guaranty of their political integrity has frequently challenged their avowed distrust. They measure both by the standards which we have erected along the pathway of our national history, and estimate with some degree of accuracy our precepts by our example. They have observed that with the exception of Alaska, the Gadsden purchase, and the purchase of the Virgin Islands, our extensions of territory in America since the announcement of the Monroe doctrine in 1823 have been wrested from Mexico, from Spain, and from Colombia; that in 1898, while carefully assuring the world that we waged war against Spain for Cuban independence, we did not hesitate to absorb her remaining territories. They have been disturbed by our military occupation of San Domingo, of Nicaragua, and of Haiti, by the eagerness of our citizens for concessions in Central and South America, and by our acquisition of the Philippines, in violation of a fundamental postulate of the Monroe doctrine. These progressive instances of territorial expansion have tended to confirm their suspicion that our magnanimous guardianship might mask a plan of aggression; that our lively apprehension of their foreign colonization might be a pretext, concealing our own designs for territorial expansion. Hence our attitude, whose sincerity has more than once been demonstrated by our actions, has inspired them with no sense either of appreciation or of security; while some of the nations against whose political designs we have safeguarded them have largely monopolized their markets and occasionally influenced their national policies.

Some years ago the senior Senator from Massachusetts expressed a belief that we were being looked upon with a mixture of dread and ill will in South America. This impression shortly afterwards received striking confirmation in the address of Dr. Freos, the president of the Museo Social of Buenos Aires, at the banquet in honor of Col. Roosevelt upon the occasion of his visit to that city. Dr. Freos cordially but honestly outlined the real sentiment of South America in words evidently selected with careful deliberation. He said:

There is a dominating fact in all South America. It is a manifest and undeniable fact, and it would be a great error to my mind to attempt to silence or even to disguise it. This fact, gentlemen, is that there exists a deep sentiment of apprehension which disturbs Spanish America and inspires it with precautions, causing it to withdraw itself instinctively, and to its own hurt, from the grand center of civilizing light and power established in the north of the continent. The establishment of United States interests in Spanish America is feared, because it is feared that they may incite and cause intervention, which no people can accept with good will. Such a fear holds it back from more open and friendly relationship with the great nation on the north.

Col. Roosevelt, the nations of Latin America will not feel at their ease so long as they do not rest in the security that no master may arise from them, either from within or without, and that no one, no matter where he may come from, may place in danger their integrity or their independence and sovereignty.

The evident inspiration for this historic utterance upon such an occasion was the Rooseveltian Latin-American policy, as exemplified by the episode of the Panama Canal. Before that event one element of warmth pervaded the unkindly atmosphere of South American opinion. It was quickened by the fact that throughout our history we had scrupulously observed our treaty obligations. The written word of the Nation had been its bond. No tarnish rested upon it. Administrations came and went, party succeeded party in governmental control, the fires of Civil War flamed to the skies, and battling sections jostled each other like colliding planets, but the Nation's honor suffered no reproach. Under the shelter of such an influence distrust could not permanently endure. The prospects of an ultimate rapprochement between the United States and the nations of Central and South America at the beginning of the year 1903 were not unpromising. Through the agency of the International Bureau of American Republics, precursor of the Pan American Union, we were establishing closer relations of confidence and esteem. A real sentiment of continental Americanism was within the range of early possibilities. An era of good feeling was taking definite outline and Pan Americanism seemed to be slowly rising above the level of the southern horizon.

These conditions were rudely interrupted in the autumn of 1903 by a vaudeville insurrection in Panama, swiftly followed by its secession from Colombia, its official recognition by the American Government, the establishment of diplomatic relations with the new political entity, and the negotiation of a canal treaty with the junta assuming to represent it, by which the United States, in consideration of the sum of \$10,000,000 in gold, acquired the Panama Canal Zone in perpetuity. This action of our Government, ostensibly based upon the rejection by Colombia of a convention designed to accomplish the same purpose, seemed to disregard not only the most obvious principles of international law but our solemn treaty obligations assumed in 1846, and scrupulously observed for 57 years, by whose terms the United States had in consideration of most valuable concessions solemnly guaranteed to Colombia the perpetual sovereignty of the Isthmus.

Latin America held its breath in amazement; the flagrancy of our conduct taxed their credulity and our own. Then followed a revelation of the humiliating details. America had not only recognized and extended her protection to a State in rebellion against the central Government; she had encouraged, if indeed she had not fostered, the insurrection. She had forcibly prevented Colombia from landing troops upon her own soil for the vindication of her own sovereignty. Her prompt and repeated protests were disregarded. She was branded by the President as a blackmailer among the nations, whose infamous conduct in rejecting a treaty justified both the revolt of one of her constituent commonwealths, and his prompt recognition of it. She invoked our treaty obligations and confronted the extraordinary assurance that our action toward Panama was in conformity with them. Too weak to resent the affront, she appealed to our sense of justice. She beseeched us to arbitrate her claims for restitution, but her remonstrances and her appeals have been alike unheeded.

This affront was not to Colombia alone. She was the victim. Her territory was invaded by a friendly nation and partitioned over her protest. She alone demanded reparation; but every Government south of the Rio Grande was aroused in just resentment. As we had violated the sovereignty of Colombia, so might we outrage theirs when our interests or our policies

required it. As we had rewarded rebellion and created republics in Colombia, so might we also spread sedition among their peoples with like result. As we had thrust aside our treaty obligations with her, so might we treat theirs as scraps of paper. As we had ignored our oft-repeated recognitions of international comity and torn a weak but friendly Republic apart, so might they encounter the same fate when the Colossus of the North should will it. To them our tributes to freedom and our ostentatious regard for the rights of small nations and weak peoples sounded like the essence of national hypocrisy.

Mr. President, this great Republic is the last and best citadel of democracy. It has waged war with the mightiest military power the world ever knew that the institutions and the blessings of popular government may not perish. It needs the support and welcomes the friendship of every nation, especially those of the Western Hemisphere. The power whose unspeakable misconduct compelled the United States to draw the sword has deliberately and repeatedly affronted the principal Republics of South America. They feared Germany as we did not. They had long been selected by her for political domination, and she would have overrun them had the Allies failed to overcome her. These countries know this better perhaps than we do. Many of them severed diplomatic relations with Germany, but, with the exception of Brazil and Cuba—the former peopled and ruled by a population descended from the Portuguese—and one or two Central American countries, they did not declare war against her. We do not fully know why, but we can well conjecture. They hated Germany, but they were not sure of America. They had no love for autocracy, but they distrusted a great democracy whose practices did not always square with its principles. The devil was to them no more attractive than the deep sea, and between these alternatives they did little in the world's great conflict. I fear their attitude will not change until we do justice to Colombia.

Pan-Germanism, a far more sinister foe to the Allies than the legions of the Kaiser, may no longer inoculate the southern continent with its deadly poison. But the removal of this evil does not mean the establishment of confidence and respect for America. The suspicions of the Latin survive and may be fed fat by the German protagonist, defeated but not wholly disarmed, partly with the facts of history, partly with the fictions of his own creation; and it may well be that if the process be not interrupted some of our neighbors may give substantial commercial succor to the defeated Teuton lest we may wax too great and powerful for their welfare.

Especially in Colombia might such results develop. She has not forgotten, and until her grievance is heard and adjusted she can not forgive our wanton assault upon her sovereignty. She has crystallized the outrage down to its most trivial incident upon the tablets of her memory. She has written the facts into her curriculums. The children in her schools are taught the story of Panama, which they treasure in their memory. Natural resentment toward America and desire for ultimate justice are part of the national consciousness. The one blot on our escutcheon is the wrong we did to Colombia in 1903.

Mr. President, if we have wronged Colombia, we should make due reparation. If we have done her no injustice, the world, and especially Latin America, should know it as speedily as it can be imparted through the processes of governmental procedure or by a court of arbitration. And we need the friendship of the entire hemisphere, whose estrangement we can neutralize by redressing the wrong, if wrong there be.

I have been so impressed by the conditions thus imperfectly outlined that I have given them a patient and, I trust, an impartial consideration. I have reviewed the facts regarding Panama as disclosed by official hearings, documents, and reports. I have reread contemporaneous and subsequent articles written by men of high position, and presumably familiar with the subject, assailing and upholding America's part in the formative processes of the Republic of Panama; and I am compelled to affirm that our conduct in that unfortunate affair is without justification and therefore indefensible. The only comfort one gathers from the shameful and sordid story is that it finds no precedent in our history. I trust that we may soon acknowledge our fault and make some reparation, lest it again be some time, as it has been, invoked to shelter or justify assault upon the integrity of some weak and helpless nation.

The speedy performance of this insistent duty, not alone because of its justice to Colombia and to ourselves as well but because of its immediate and permanent benefit to our political and commercial future, now of all times most desirable, must be my excuse for a rapid review of the principal facts revealed by the "Story of Panama"—one of the most interesting and valuable documents ever given to the public. In doing this I should at the outset remind the Senate that the most im-

portant lesson taught us by the Spanish War, and particularly by the voyage of the *Oregon* from San Francisco to Cuba, was the imperious necessity of a shorter route between the oceans, to secure which a canal across Nicaragua or the Isthmus should be constructed and owned by the Government. Preliminary but exhaustive investigations theretofore made had demonstrated the superiority of the Nicaragua route, to which both the great political parties unequivocally committed themselves in their platforms of 1896.

Fifty years earlier, and immediately following our acquisition of California, access to which was then possible around the Horn, our Government negotiated a treaty with New Granada to be "religiously observed" while in force. It was made on our initiative in 1846. By the terms of article 35 we secured free transit of goods and passengers across the Isthmus, together with freedom of all Granadan ports on both its coasts. This immensely valuable concession was guaranteed to us by the Granadan Government, not only as to existing modes of communication but as to any and all others to be thereafter constructed by or under its authority. In consideration of the grant of these generous privileges the United States covenanted with New Granada for the perpetuation of its sovereignty over the Isthmus in the following language:

In order to secure to themselves the tranquil and constant enjoyment of these advantages, and for the favors they have acquired by the fourth, fifth, and sixth articles of this treaty, the United States guarantees positively and efficaciously to New Granada by the present stipulation the perfect neutrality of the before-mentioned Isthmus, with the view that the free transit from the one to the other sea may not be interrupted or embarrassed in any time while this treaty exists; and in consequence the United States also guarantees, in the same manner, the rights of sovereignty and property which New Granada has and possesses over the said territory.

Because of the disturbed conditions sometimes prevailing in that region, the treaty also provided that if one or more of the nationals of either country should infringe any of its articles, they should be held personally responsible therefor, so that the friendship between the nations should not be thereby disturbed, each party engaging in no way to protect the offender or sanction the violation.

Within a few months after the ratification of the treaty gold was discovered in California, and the rush of emigrants to the western coast began. The Panama Co. was speedily organized in America, and New Granada gave it a monopoly of the Isthmus transit. The great influx of travel over the road developed troubles between travelers and natives, requiring an additional treaty, which, however, expressly declared that it in no respect affected the sovereignty of New Granada over the Isthmus. In 1862, the Republic of New Granada changed its name to the United States of Colombia.

On several occasions between the making of the treaty and the year 1902 our Government was required to define its duties under section 35. I shall not burden the Record with these definitions. Their substance was well expressed by Secretary Seward in 1865, who said:

The purpose of the stipulation was to guarantee the Isthmus against seizures or invasion by a foreign power only. It could not have been contemplated that we would ever become a party to any civil war in that country by defending the Isthmus against another party.

In 1867 Colombia conceded to the Panama Railroad Co. the use and possession of its railroad for 99 years for a royalty of \$250,000 per annum. But 36 years of this time had expired in 1903. The remainder of the term should have yielded a total of \$16,500,000 to the Colombian treasury. Moreover, the road at the end of that time would become the property of the Republic.

In 1869, and again in 1870, at our request, Colombia entered into diplomatic relations with us for the construction of an Isthmian Canal. Each time a treaty was negotiated, extremely liberal in its terms, which Colombia ratified, but which we abandoned. Under these covenants she gave us everything we could have asked for, retaining only her political sovereignty. Of course we had not advanced to the point of asking for that. But the continental railroad companies, one of them owning the Pacific Mail Steamship Co., were even then powerful enough to prevent the ratification of these treaties. Not until eight years thereafter did she execute the Salgar-Wyse contract, afterwards acquired by the Panama Canal Co., under which de Lesseps made his disastrous effort to dig the channel. The new company was organized upon the ruins of the old one in October, 1894, the latter having acquired control of the Panama Railroad Co. in 1888, of which one William Nelson Cromwell became counsel and director in 1893, and special counsel for the New Panama Canal Co. in January, 1896. The baleful activities of this man seem to have actually shaped our governmental policy toward Colombia after the assassination of President McKinley. They began prior to Mr. McKinley's first inauguration, for he appeared in Washington with the meeting of Congress in December, 1896, following the presidential election. He

urged and soon succeeded in inducing Colombia in the interests of the Panama company to call the attention of the American Government to the advantages of the Isthmian over the Nicaraguan route. He then set about defeating all Nicaraguan legislation and, as a matter of course, organized a lobby and a competent press bureau to support his efforts and spread the Panama gospel among the people.

But President McKinley was proof against the new propaganda. In his message of December, 1897, he urged the building of the Nicaraguan Canal under American control. The Morgan bill for that route passed the Senate in January following by 48 to 6. The Senate afterwards attached the Morgan bill to the rivers and harbors bill by a vote of 50 to 3. But Mr. Cromwell was able to defeat both in the House by the substitution of a measure providing for a new Panama Commission, which soon reported in favor of Nicaragua, but afterwards, by the direction of President Roosevelt, reversed its conclusions and recommended the Isthmian route.

In 1900 largely through the influence of Senator Hanna, the Republican national convention reversed its earlier attitude favoring Nicaragua and declared for "an Isthmian canal."

Mr. Roosevelt became President in September, 1901. He at once made an announcement of his official policy, among the items of which was the building of the Nicaragua Canal. In January following the House passed the Hepburn bill for Nicaragua by a vote of 309 to 2, shortly after which Mr. Roosevelt committed himself to the Isthmian route.

The Panama Co. concession would, in 1904, expire by limitation. It could not be assigned without the consent of Colombia. It was offered to the United States through Mr. Cromwell for \$40,000,000; but without Colombia's permission the offer was worthless; and so Mr. Cromwell busied himself trying to secure her consent. That Government through its minister, demanded \$20,000,000 from the company for its consent, conditioned upon the adoption of the Isthmian route "without affecting the integrity of its territory or its national sovereignty." In view of her equity in the railroad and the value of her consent to the transfer that sum was not unreasonable. Shortly afterwards, Colombia forbade the transfer of the canal company without first complying with her terms. It may be well to state here that Colombia owned shares of the face value of 5,000,000 francs in the company.

In 1902 Mr. Cromwell wrote a report for the minority of the Senate Canal Committee favoring the Panama route. Senator Hanna, being its chairman, the report bore his name, copies of which Mr. Cromwell scattered over the country. This report opposed the Hepburn and favored the Spooner bill. The latter provided, in substance, that should the title of the company be approved and a satisfactory treaty be concluded with Colombia within a reasonable time the Panama route should be selected; otherwise, in default of either of these conditions, the Nicaragua route should be adopted. The Spooner bill was finally passed and approved by the President June 28, 1902. Mr. Cromwell then devoted himself to securing a fulfillment of the two conditions.

Meanwhile a small insurrection occurred in Panama. Contrary to precedent, and in disregard of the treaty of 1846, and with knowledge of the fact that the officers of the Panama Railroad Co. were notoriously aiding the revolutionists by moving their munitions and refusing transportation to the established government, the President, without saying "by your leave," landed American marines, who virtually disarmed the fighting forces on both sides, thus clearly expressing his contempt for our treaty obligations with Colombia. As a consequence the Colombian minister, Mr. Concha, refused to negotiate at all with our Government for a treaty so long as our troops, in violation of the sovereignty of his country, remained upon her soil without her consent. Pressed by his Government to do so because of Mr. Roosevelt's demand for a speedy agreement, he finally consented, provided the first negotiations were limited to the question of sovereignty. By the President's direction Mr. Hay, on November 28, 1902, consented to this, notwithstanding which Mr. Roosevelt, in his message of January 4, 1904, declared that Colombia's subsequent refusal to ratify the treaty because it involved the relinquishment of her sovereignty was "an afterthought."

Inasmuch as the marines continued to occupy the Isthmus, Minister Concha abruptly resigned his place, which was taken by Dr. Herran as chargé d'affaires, with whom Mr. Cromwell at once sought to establish confidential relations. Eight days after assuming his new duties Dr. Herran sent his Government this ominous warning:

Besides this deferred ultimatum, another danger threatens us. Mr. Shelby M. Cullom, Senator from Illinois and chairman of the Committee on Foreign Relations, maintains that in case Colombia does not lend itself to a satisfactory agreement the Government of the United States

can come to an understanding with the canal company direct, passing over the head of Colombia and expropriating part of our territory, justifying this on the ground of universal public utility, and leaving the compensation due to Colombia to be decided later. President Roosevelt is a determined partisan of the Panama route, and in view of his impetuous and violent disposition it is to be feared that the scheme of Senator Cullom is not distasteful to him.

That, I think, is the ultima ratio of the doctrine of eminent domain. That it was not "distasteful to him" is revealed by himself in his message 18 months later, for he there said:

My intention was to consult Congress as to whether under such circumstances it would not be proper to announce that the canal was to be dug forthwith; that we would give the terms we had offered, and no others; and that if such terms were not agreed to we would enter into an agreement with Panama direct, or take what other steps were needful in order to begin the enterprise.

The first intimation of Mr. Roosevelt's intention to ignore the rights of Colombia, disregard our treaty obligations with her, and proceed as "the mandatory of civilization" to take the Canal Zone if Colombia declined to ratify a treaty of Mr. Cromwell's making, thus came from the lips of Senator Cullom. He doubtless spoke by Mr. Roosevelt's inspiration.

On the day following Dr. Herran's message to his Government Senator Morgan introduced a motion requesting the President to conclude negotiations with Nicaragua under the requirements of the Spooner law, no treaty having been concluded with Colombia. Mr. Cromwell defeated the motion, but it spurred him to greater effort for an agreement for the treaty. He persuaded Herran that action by Colombia was imperative, as the State Department would present an ultimatum on January 5. It did not come quite so soon, although Mr. Hay, on December 31, wrote Mr. Herran that "it is absolutely necessary that I report to the President regarding the condition of our negotiations." January 3, 1903, Herran cabled his Government that the final offer of the American Government to Colombia was \$10,000,000 cash, with an annuity of \$100,000 after nine years, and an equitable increase of it after the completion of the canal.

These terms were not more palatable to Colombia than those affecting her sovereignty. Pressure was therefore brought against Herran personally by Cromwell and officially by Secretary Hay. On January 22 the latter addressed the following letter to him:

DEAR MR. HERRAN: I am commanded by the President to say to you that the reasonable time that the statute accords for the conclusion of negotiations with Colombia for the excavation of a canal of the isthmus has expired, and he has authorized me to sign with you the treaty of which I had the honor to give you a draft, with the modification that the sum of \$100,000 fixed therein as the annual payment be increased to \$250,000. I am not authorized to consider or discuss any change.

Apart from the dictatorial character of this note the obvious inference the Colombian minister would draw from it would be that if Colombia should persist in its refusal to accept the President's terms, the latter would, under the statute, abandon Panama, and negotiate with Nicaragua for a canal concession. But Mr. Herran had reason to know that although this was the alternative of the statute, it was not the President's intention, as Senator Cullom had plainly intimated. He therefore yielded to pressure and signed the treaty at once. Two days later he was instructed by his Government not to sign it. His name has been execrated in Colombia ever since.

The treaty was afterwards ratified by the American Senate, although Colombia promptly brought suit to enjoin the canal company from transferring its concession; whereupon the State Department lent its powerful aid to Mr. Cromwell for the protection of his client. April 7, 1903, Mr. Hay cabled the American minister at Bogota:

Referring to the requests of Colombia to the canal and railroad companies for appointment of agents to negotiate cancellation of present concessions, etc., if the subject arises, inform the Colombia Government that the treaty covers entire matter, and any change would be in violation of the Spooner law.

This instruction, unfounded in fact and in law, was an additional affront to the intelligence and the dignity of Colombia. She was then concerned about her contract with the canal company, a quarrel over which we had no more control than Colombia had over our treaty stipulations with Great Britain. We can well imagine how America would receive a similar communication from England, France, or Germany. Yet Mr. Roosevelt had no compunctions about instructing Colombia that she could not amend a treaty which he had dictated. He did this more than once, and Colombia did what any high-spirited people would have done under such circumstances. She pitched his treaty out of her window. Yet she assigned good reasons for her action, which should have been accepted as conclusive.

Events now moved rapidly. In May the American minister to Colombia came home. He reported to Mr. Cromwell at New York before reporting to Secretary Hay at Washington. If Mr. Cromwell is to be credited, he collaborated with Mr. Hay in writing instructions to our minister at Bogota from this time on.

Referring to Colombia's insistence that the canal company make satisfactory adjustment of her claims as a condition of her consent to transfer, Mr. Hay wrote that—

such action would be inconsistent with the agreements already made between this Government and the canal company, with the act of June 28, 1902, under the authority of which the treaty was made, and with the express terms of the treaty itself.

He also wrote that—

before entering upon any dealings with the new Panama company the present treaty with Colombia was negotiated and signed.

This assertion is not sustained by the facts. At the same time, it can not be reconciled with the further assertion, which Mr. Roosevelt subsequently repeated, that Colombia had initiated our treaty negotiations for the canal.

From the hour that Dr. Herran informed his Government that he had signed the treaty, public opinion in Colombia was strongly against its ratification, since it had been virtually written by the attorney for the canal company in its own interest, and transgressed the sovereignty of the Republic by clauses which cleverly undermined that which was designed to safeguard it. As early as May, 1903, our minister at Bogota informed Secretary Hay that it would be rejected by a unanimous vote.

Mr. Cromwell thereupon suggested to Mr. Hay that our Government deliver its ultimatum to Colombia. He acted in harmony with Mr. Cromwell's views, and on June 9 instructed our minister to say verbally to the Colombian minister of foreign affairs that—

if Colombia should now reject the treaty, or unduly delay its ratification, the friendly understanding between the two countries would be so seriously compromised that action might be taken by the Congress next winter which every friend of Colombia might regret.

The VICE PRESIDENT. The morning hour having expired, the Chair lays before the Senate the unfinished business, which will be stated.

The ASSISTANT SECRETARY. A bill (S. 3390) to provide further for the national defense; to establish a self-sustaining Federal agency for the manufacture, production, and development of the products of atmospheric nitrogen for military, experimental, and other purposes; to provide research laboratories and experimental plants for the development of fixed-nitrogen production, and for other purposes.

Mr. THOMAS. To this gratuitous indignity the foreign minister replied with spirit but with moderation. He reminded Mr. Hay of the narrow margin by which our Senate had ratified the treaty and added that if it had been rejected it would not have diminished the right of Colombia. Referring to the rumored purpose of Mr. Roosevelt to seize Panama if the treaty were rejected, the minister very properly said that—

The Colombian Government has derived the correct conclusion that the only result that can affect adversely the interests of this nation, if their Congress should reject the project of the treaty, is that the Government of the United States will cease negotiations and adopt the Nicaraguan route.

Mr. Cromwell gave contemporaneous assurance to Dr. Herran that Colombia would lose Panama if she did not ratify the treaty, which Herran promptly communicated to Bogota. On June 13 Mr. Cromwell conferred with President Roosevelt, and on the same day, through his press agent, informed the New York World that the President was determined to have the Panama route, that should the treaty be rejected the State of Panama would secede, the President would promptly recognize the new Republic and make a treaty with it which would give our Government the equivalent of absolute sovereignty over the Canal Zone. The World published the news on the following morning and again on July 31. On July 22 our minister, by instructions from Washington, demanded of the Colombian minister the ratification of the treaty without any change whatever. On this occasion he declared that his Government would regard any modification of the treaty as a breach of faith by Colombia and might greatly complicate the friendly relations hitherto existing between the two countries. How any self-respecting nation after this deliberate affront could have done otherwise than reject the treaty passes my comprehension.

The reply of Dr. Rico on August 11 to the American minister's remarkable demand is a model of dignified remonstrance. It is too long to be quoted here, but it reminded him of the right of independent nations to accept, modify, or reject treaties without pressure or dictation, of the fact that the American Senate had frequently done so, particularly with the Hay-Pauncefote treaties, without in any wise disturbing international relations.

The Colombian Senate declared that it could not without violating the national constitution have ratified the treaty; that document forbade the enactment of laws or the ratification of treaties impairing or affecting the national sovereignty. Our

Government was fully informed of this and of Colombia's announcement that its constitution would be so amended as to permit the adoption of the treaty when made satisfactory to her Government. But she refused to be coerced, and on August 12 her Senate rejected the treaty by a unanimous vote. For this exercise of her undoubted right the President of the United States charged her with attempted blackmail. His conduct from the commencement to the close of the episode fortunately has no parallel in the diplomatic history of the United States.

The charge of blackmail is without justification. She did demand from the company a consideration for consenting to the transfer of their property and she was entitled to it. She could secure it only by making it a condition precedent to her ratification of the treaty. In her place we would have been far more exacting, and, because of our strength, far more successful. Colombia has lost a province and with it the canal by her conduct, but she has maintained her national dignity and honor, however great the sacrifice. This should have inspired our tribute of applause. But we ravished her instead, although both the Colombian foreign minister and the American minister at Bogota gave Mr. Hay to fully understand that the disapproval of the treaty was due to the problem of diminished sovereignty, the failure of the canal company to arrange for the transfer of its concessions, and the ultimatum of Mr. Cromwell, communicated through the medium of the State Department, and that the Colombian congress would provide by law for continuing and finishing negotiations for the canal.

Preliminaries for the Panama rebellion began before the treaty was rejected. Capt. James R. Beers, freight agent and port captain for the western terminus of the Panama Railroad, went to New York to confer with Mr. Cromwell regarding it. During his absence Senator Arango sounded a few influential citizens of Panama. In June, Capt. Humphrey, of the Twenty-second, and Lieut. Murphy, of the Seventeenth Infantry, were sent as military intelligences through Venezuela and northern Colombia. In his message to Congress President Roosevelt says that they stopped in Panama on their return in September, and "had no thought of going to Panama when they were sent to South America." Yet they very carefully examined the whole country from Colon to Panama, and furnished the President with minute information comprising every detail essential to an intelligent military campaign on the Isthmus, the best positions for artillery to command Panama and Colon, and the number of mules needed for transport, and which could be procured in inland villages. Did these officers act upon their own initiative? Who is credulous enough to assert it?

About the time the treaty was rejected, Mr. Roosevelt sent for and conferred with Senator Cullom. The next morning the New York Herald quoted Senator Cullom as saying, "We might make another treaty, not with Colombia, but with Panama." Very soon afterwards the Colombian Government instructed Dr. Herran that the Senate, desiring to maintain cordial relations with the United States, had named a commission of three Senators to harmonize legal and natural interests, and our desire to dig the canal. This was communicated to Secretary Hay. The Secretary answered on August 29 that the President was bound by the Isthmian Canal statute, by whose provisions he was given a reasonable time to arrange a satisfactory treaty with Colombia, failing which, "he will then proceed to carry into effect the alternative of the statute." What a pity that he did not do so. And what a greater pity that meanwhile preparations were making under his very nose for a burlesque Isthmian insurrection, to which he must have shut his eyes, for otherwise he would have seen them, and filled his ears with cotton, for otherwise he would have heard them.

Beers returned to Panama with Mr. Cromwell's code book and instructions. While absent, Arango, attorney for the Panama Railroad Co., formed the nucleus of the revolutionary conspiracy. It consisted of himself, Dr. Amador, the company's physician; Mr. Prescott, the company's assistant superintendent; d'Obario, the two Arias, Boyd, Arosemena, and Espinosa. Amador went to New York, ostensibly to see an ostensibly sick son, but actually to secure funds and arms for the revolution. Secret codes for communication to and from Amador were devised before his departure. A fellow passenger was one Duque, an editor of the Isthmus. Cromwell proposed to Duque that if he would furnish \$100,000 to finance the scheme, he, Cromwell, would furnish the security and make Duque the first president of the Republic. He also made an appointment for Duque with Secretary Hay, to whom he gave Duque a note of introduction.

Duque saw Mr. Hay the next day. During the conference Duque reported that Mr. Hay said that the "United States would build the canal, that it did not purpose that Colombia should stand in the way," and that should the revolutionists

occupy Colon and Panama they could depend on the United States to prohibit Colombia's landing troops to attack them and disturb the "free and uninterrupted transit" which our Government was bound by treaty with Colombia to maintain. He also says that Mr. Hay requested him to remain and confer with the President on his return, which he was unable to do.

Duque was not one of the conspirators, else he would not have informed Dr. Herran of the plot, who promptly informed his Government. Mr. Cromwell also gave Dr. Amador a cordial reception. At the same time he took care to cover his own tracks lest the revolution fail and his company come to grief. He shortly afterwards went to Paris.

Enter now upon the stage one Philippe Bunau-Varilla, a Frenchman, engineer and penitentiary shareholder of the New Panama Canal Co., who arrived in New York September 23. Further on I shall refer to his book, which he has recently published. Amador conferred with him at once. Bunau-Varilla promised needed financial support, and undertook to arrange with the American Government for the presence of warships to protect the revolutionists against Colombia. On October 7 Mr. Cromwell called on Mr. Roosevelt, and then said to the Herald correspondent that "the Panama Canal will be built by the United States." Three days after Mr. Roosevelt wrote to Dr. Albert Shaw that he would be delighted if Panama were an independent State, or made itself so at that moment, but he could not say so publicly, as it would instigate a revolt.

Bunau-Varilla and Amador made one or two trips to Washington prior to October 15. On that day the Navy Department ordered Admiral Glass, commanding the Pacific Squadron, to proceed about the 22d instant "on an exercise cruise to Acapulco." This is one of the dispatches which Mr. Roosevelt did not transmit to Congress. On October 16 the President received in person the reports of Capt. Humphrey and Lieut. Murphy. The very next day Capt. Cloman and Capt. Haan were assigned as military attachés to the American Legation at Bogota. On the same day Bunau-Varilla gave Amador his final instructions; told him to sail on October 20, and pull off the revolution on November 3.

Just here it is appropriate to quote from a letter from Amador to his "dear little son," written on the 18th. He says: "The reason for your coming was to meet Bunau-Varilla, to whom I have spoken of you. He said that if all turns out well you shall have a good place in the medical commission, which is the first that will begin work; that my name is in Hay's office, and that certainly nothing will be refused you. The plan seems to me to be good. A portion of the Isthmus will declare itself independent, and that portion the United States will not allow any Colombian forces to attack. An assembly is called, and this given authority to a minister to be appointed by the new governor in order to make a treaty without need of ratification by that assembly. The treaty being approved by both parties, the new Republic remains under the protection of the United States, and to it are added the other districts of the Isthmus which do not already form part of the new Republic, and these also remain under the protection of the United States. The movement will be delayed a few days. We want to have here the minister who is going to be named, so that once the movement is made, he can be appointed by cable and take up the treaty. In 30 days everything will be concluded." The plan outlined by this letter worked to a nicety.

On October 19 Admiral Glass was advised to send the *Boston* ahead of the squadron to Acapulco, and that Acapulco was her ostensible destination only. The *Dixie* was also ordered to embark a battalion and be ready to sail from League Island on the 23d.

Amador reached the Isthmus October 23 with a flag for the new Republic, designed and made by Madam Bunau-Varilla, and a declaration of independence prepared in New York. He at once conferred with his small band of associates. The few Colombian troops on the Isthmus and their commander were subsidized. Those who remained incorruptible were sent away on the pretext of an invasion from Nicaragua.

The news of this alleged invasion becoming public, Colombia dispatched a force to the Isthmus to confront it, much to the consternation of the conspirators, whose only military strength consisted of about 400 firemen at Panama. They refused to proceed unless Amador could obtain definite assurance that American warships would be sent at once to the Isthmus. Thereupon, and on October 29, Amador cabled in cipher to Bunau-Varilla the following:

We have news of the arrival of the Colombian forces on the Atlantic side within five days. They are more than 200 strong. Urge warships Colon.

Upon its receipt Bunau-Varilla sped to Washington. He went to the State Department to urge that vessels be sent at once. As a result, the Secretary of the Navy, on October 30, cabled

Commander Hubbard, of the *Nashville*, then at Kingston, to proceed at once to Colon, and telegraph in cipher the situation after consulting with the United States consul. Also to keep his destination secret, and cable in cipher his departure from Kingston. This is another dispatch which Mr. Roosevelt failed to transmit to Congress in his response to resolutions calling for all information concerning the Panama revolution. On the same day Bunau-Varilla cabled Amador:

Thirty-six hours Atlantic; 48 hours Pacific.

Its receipt heartened the conspirators, who then determined to proceed. Meanwhile, Colombia ordered Gov. Obaldia to send the gunboat *Padilla*, then at Panama, to fetch Government troops from Buenaventura. But the railroad company refused coal to the gunboat.

Mr. President, I have here a book recently published by Doubleday, Page & Co. entitled "The Great Adventure of Panama," by Philippe Bunau-Varilla. The title is somewhat misleading. It should be "The Great Adventurer of Panama." It contains a highly imaginative and almost entirely false account of the history of the Panama Canal, of the insurrection in Panama, of the recognition of the Republic of Panama, and the subsequent treaty which was made with that Government. I have just called the attention of the Senate to a telegram which this man sent to Amador informing him that vessels of the United States—warships—would be on one side of the Isthmus in 36 hours and upon the other side in 48 hours. This man in his book declares that when he heard from Amador he came to Washington, and meeting a former minister from Colombia, and that minister asking if he had had any news from the department, by an inspiration more than human, this individual at once interpreted that as meaning that gunboats had been dispatched, and rushed back to New York and cabled the message to which I have referred.

This is all of a piece with every statement or with practically every statement made by this man whose book seems to have been written for the purpose of absolving all else and all others from any responsibility and of arrogating to himself, as a superman, all credit and responsibility for the events which culminated in the establishment of the Panama Republic. It is worthy of the man. This international reprobate was the prime cause of the disgrace and humiliation of de Lesseps; he was a fraudulent contractor with the company, a man whose career in connection with the French Panama Canal enterprise is paralleled only by the disclosures that have recently been made by the New York State committee in the trust and combination developments of the building interests and unions in that city.

On November 2 the Navy Department, by the President's order, cabled the commanders of the *Dixie*, the *Nashville*, the *Marblehead*, and the *Boston*, the first two to proceed with all possible dispatch to Colon, and the last two to Panama, to prevent the landing of any armed force; that a Government force was reported approaching the Isthmus in vessels. The commanders of the *Marblehead* and *Boston* were further ordered to occupy the line of the railroad if interruptions were threatened by armed force; to prevent landing of any armed force, either Government or insurgent, at any point within 50 miles of Panama, and to occupy Ancon Hill with artillery if doubtful of the intention of the armed force.

The message to the commander of the *Dixie* also ordered him to "Send copy of instructions to senior officer present at Panama upon arrival of *Boston*." What these instructions were has never been revealed.

Mr. POINDEXTER. Mr. President, will the Senator from Colorado yield?

The PRESIDING OFFICER (Mr. KENYON in the chair). Does the Senator from Colorado yield to the Senator from Washington?

Mr. THOMAS. I do.

Mr. POINDEXTER. How did those proceedings, the orders to the commanders of these vessels and the actual occurrences, correspond with the telegram sent by Bunau-Varilla that American vessels would be on the Atlantic side in 36 hours and on the Pacific side in 48 hours?

Mr. THOMAS. The correspondence was nearly perfect. The vessels arrived almost identically upon the lapse of the time which was cabled by Mr. Bunau-Varilla to Señor Amador.

On November 1 Prescott was ordered by Col. Shaler, superintendent of the Panama Railroad, to go over to Panama and "wait until something turns up." On the evening of the 2d the *Nashville* was sighted from Colon. Shaler at once wired the fact to Prescott, and wrote him two letters, in one of which he says:

Have just wired you that the *Nashville* has been sighted. This, I presume, settles the question.

Mind you, this was prior to any act of insurrection, or, in fact, to any overt act whatever, overt or otherwise.

The letters also instructed Shaler to secure such written communications from Amador as would "free us from liability in case there is a failure," and that was done. When the *Nashville* reached Colon, Capt. Hubbard went ashore and reported everything quiet. The same night the Colombian gunboat *Cartagena* was sighted. She carried 500 picked troops, commanded by Gens. Tovar and Amaya. Not having received the Secretary's cable, Hubbard did not prevent their landing. In his report he said:

Inasmuch as the independent party had not acted, and the Government of Colombia was at that time in undisputed control of Panama, I did not feel in the absence of instructions that I was justified in preventing the landing of these troops, and at 8.30 they were disembarked.

But the officials of the Panama Railroad rose to the emergency. When Tovar demanded transportation for himself and troops across the Isthmus, the general and his officers were taken to Panama and assured that his troops would follow at once. Shortly after their arrival the officers were imprisoned, while the troops were detained in Colon. On the 3d Hubbard cabled Washington:

Receipt of your telegram is acknowledged. Prior to receipt this morning about 400 men were landed here by Government of Colombia. No revolution has been declared on the Isthmus, and no disturbances. Railway has declined to transport these troops except by request of Governor of Panama. Request has not been made. It is possible that movement may be made to-night to declare independence, in which case I will—

Here the dispatch was mutilated. The public will never know its ending, although it may easily surmise that Hubbard said he would "carry out his instructions," and prevent by force, if necessary, any interference with the revolutionists. But why was the dispatch mutilated? Mr. President, the reason must have been overwhelming. The bluff old sea captain gave his superiors full assurance that he would execute his orders when the anticipated occasion required it. Mr. Roosevelt could not pose as "the mandatory of civilization" while the archives of the Navy Department sheltered an official record of the sordid and disgraceful conspiracy against Colombia, which he welcomed and made effective by turning the guns of the great Republic upon a helpless and friendly neighbor. The cause which suppresses or destroys testimony stands self-convicted. The arrival of the *Cartagena* with Government troops and the need of circumventing their commanders and rendering them ineffectual disarranged the revolutionary program, which was to culminate on the 3d; and Washington waited for news. As the day waned administration impatience waxed. It finally passed restraint. The State Department cabled our vice consul general at Panama:

Uprising in Isthmus reported. Keep department promptly and fully informed.

The consul promptly answered:

No uprising yet. Reported will be in the night. Situation is critical.

And it so turned out. A very few hours later the consul cabled the State Department that—

Uprising occurred to-night, 6; no bloodshed. Army and navy officials taken prisoners. Government will be organized to-night, consisting three consuls; also cabinet. Soldiers changed. Suppose same movement will be effected in Colon. Order prevails so far. Situation serious; 400 soldiers landed to-day.

BARRANQUILLA.

Mr. KELLOGG. Mr. President, will the Senator yield to me for a moment?

Mr. THOMAS. Certainly.

Mr. KELLOGG. I should like to ask the Senator if it is not a fact that this Government many times previously had sent gunboats and soldiers to protect the Panama Railroad against insurrections?

Mr. THOMAS. They had several times used troops to protect and secure the free transit of the Isthmus; they never before sent a force to Panama to interfere with the troops of the Government of Colombia, and always declared—there are plenty of communications from the State Department upon the subject—in their construction of the treaty of 1846 that they could not interfere under the terms of the treaty between the Government and an insurrection, except as might be necessary to secure free transit across the Isthmus, and our Government's action therefore was either at the instance or by the request of Colombia. Now, does the Senator think that that was the purpose of this particular expedition?

Mr. KELLOGG. I certainly do.

Mr. THOMAS. Notwithstanding the fact that when the orders were given there was no insurrection whatever; notwithstanding the fact that if an insurrection were contemplated and these preparations were made against it, then the Government of the United States must have known of the reason and of the contemplated insurrection, and, therefore, must have been in some degree privy to it. Mr. President, this interference in the domestic affairs of a Republic, the guarantee of whose sov-

eighty we had assumed by a treaty, then many years old and always respected, can be explained only upon one theory, toward which every fact and every action irrevocably points, and that is to wrest by force the Isthmus of Panama from Colombia because she had seen fit to reject this treaty, and then to deal with a Government which we ourselves had created, and by that means secure the immensely valuable canal concession.

On receipt of this information, the Washington authorities wired the consul general that its cable of the previous day to Capt. Hubbard, of the *Nashville*, might not have been delivered. He was therefore instructed to wire the *Nashville*:

In the interests of peace, make every effort to prevent Government troops at Colon from proceeding to Panama. The transit of the Isthmus must be kept open and order maintained.

Certainly no such message was ever before transmitted by the Government of the United States to any subordinate commander of one of its vessels. A similar cable was sent to the consul at Colon. Transit was kept open, but not for Colombian troops. We thus prevented Colombia, with whom we were at peace, and whose sovereignty over the Isthmus we had guaranteed, from using her own troops on her own soil to suppress the rebellion of a bare handful of her own people.

Mr. TOWNSEND. Mr. President—

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from Michigan?

Mr. THOMAS. I do.

Mr. TOWNSEND. In that connection, I should like to call the Senator's attention to some facts that were developed on the Isthmus, I think in 1904 or in 1905, in reference to the landing of Colombian troops at Colon.

A man by the name of Melendez was governor of Colon at that time, and a very wealthy man. The committee took the evidence there of this gentleman and others from which it was satisfied—and I have never before heard it disputed—that Melendez and other citizens of Panama purchased the commander of the Colombian ship, whose name was Huerta, a one-armed Indian, who was in command of the ship and soldiers, at, as I remember, \$150,000, \$100,000 of which he took, \$50,000 was paid to the troops, and they sailed away—I did not suppose there was any doubt about it—but that the Colombian troops were not landed because the people of Panama, who saw, as they thought, the visions of a canal vanishing, purchased, through blood money, the supposed loyalty of the Colombian commander, Huerta. He was afterwards, too, I might add, as perhaps the Senator knows, made commander in chief of the Panamanian forces, then tried to get up an insurrection among them, and demanded the resignation of Amador and Arias and some other officer of Panama; and our minister, then Mr. Barrett, was in personal touch with Amador, and persuaded him that he could not surrender and yield the Government over to the Indian, Huerta.

Mr. THOMAS. Mr. President, the facts, I think, are somewhat different from the statement of the Senator.

At the time of this insurrection a small force of soldiers of the Colombian Government were upon the Isthmus. They were under the command of Huerta, who was a soldier and not a sailor. As a preliminary to this insurrection this man Huerta was corrupted, together with a considerable proportion of his troops. The portion remaining loyal were then sent north upon a manufactured report that soldiers from Nicaragua were about to land upon Colombian soil. After the conspiracy had been accomplished, Huerta received a very considerable sum of money for himself and his soldiers. He is said to have himself received \$30,000 in cash; and, like all traitors, after the money was gone he did become, or attempt to become, an agency of further disturbance, and was settled with quite summarily, and largely because of the fact that the United States at that time was upon the Isthmus and was powerfully supporting the new Republic of Panama.

Mr. REED. Mr. President, will the Senator yield?

Mr. THOMAS. I yield.

Mr. REED. I should like to inquire what difference it makes whether this man was corrupted—whether we have any better title if it was procured by fraud than if it was procured by force?

Mr. TOWNSEND. Mr. President, the point I wished to make, if the Senator will permit me, was that he was corrupted by the Panamanians themselves, the people who were interested there, notably Melendez, governor of Colon. It is a historical fact, I think, that Huerta, after he was made commander in chief of the Panamanian forces and after he had betrayed his country, Colombia, then, as I said, endeavored to incite an insurrection in Panama, and the United States did nothing to encourage him in it but simply stated to Amador that we were there, and that Mr. Huerta could not take charge of the Panamanian Government and operate it in behalf of a revolution; and Huerta took the money that he had received for the betrayal of his country,

went inland somewhere in Panama, and purchased an estate, where at last accounts, so far as I know, he was living in his ignominy.

Mr. THOMAS. The money which was used for these corrupting purposes came from Bunau-Varilla, and was doubtless intended for that among other objects. I might say, however, that the troops which he commanded—and that seems to be the important point in it—were not those which were afterwards landed, and whose landing was permitted by Capt. Hubbard, who at that time had not received the orders which were subsequently transmitted to him.

Mr. REED. Mr. President, does not the fact remain undisputed that whether some of the soldiers had been corrupted or not, and whether a commander had been induced to become a traitor or not, Colombia was by the force of the United States prevented from sending her troops in to punish the bribe givers, the bribe takers, the revolutionists, and the traitors alike? Is not that a fact?

Mr. THOMAS. I think the Senator has well stated it.

Mr. TOWNSEND. I suppose that is the point in controversy.

Mr. THOMAS. Meanwhile, the conspirators having formally arrested the governor, who was openly sympathetic, went to the Cathedral Plaza, appointed a provisional junta of three, and proclaimed the independence of Panama. The junta then signed a manifesto. It was their New York declaration of independence.

While these ceremonies were in progress the Colombian gunboat *Bogota* shelled the city, to which the batteries on the sea wall replied. The only casualties were the slaughter of a Chinaman and a donkey. No other fighting occurred.

The manifesto having been read, one Demetrio Brid cabled President Roosevelt that "The municipality of Panama is now, 10 p. m., holding a solemn session and joins in the movement of separation of the Isthmus of Panama from the rest of Colombia. It hopes for recognition of our cause by your Government." Inasmuch as this "solemn session" was the only separation movement then under way, and of which the entire Isthmus, the city of Colon excepted, was profoundly ignorant, Señor Brid's cable is not without the suggestion of humor.

On the 4th the consul at Panama wired Secretary Hay that he had notified the *Nashville* and that troops would not be moved. He also referred to the *Bogota's* bombardment, and said that it threatened to repeat its action. Commander Hubbard also cabled that a provisional government had been established, with no organized opposition, and that he had prohibited transportation of Colombian troops across the Isthmus. He had a hot verbal encounter with their commander, Col. Torres, who very naturally resented the trick of the railroad managers whereby Gen. Tovar had on the previous day been persuaded to precede his command across the Isthmus and was then imprisoned. He threatened swift reprisals, but yielded very sensibly to the guns of the *Nashville*. Hubbard landed a force of his own marines at Colon and cleared his decks for action, whereupon the *Cartagena* took to her heels and fled to Colombia.

On the morning of the 4th Dr. Amador addressed the subsidized Colombian battalion commanded by Huertas. He said:

We have carried through our splendid work. The world is astounded at our heroism. President Roosevelt has made good, for there, you know, are the cruisers which defend us and prevent any action by Colombia.

The events of November 4 culminated in a cable to Secretary Hay from the junta, which I quote in full:

We take the liberty of bringing to the knowledge of your Government that on yesterday afternoon, in consequence of a popular and spontaneous movement of the people of this city, the independence of the Isthmus was proclaimed; and the Republic of Panama being instituted, its provisional government organizes an executive board consisting of ourselves, who are assured of the military strength necessary to carry out our determinations.

A cable to Amador from Bunau-Varilla crossed this one, which urged Amador to try to get hold of Colon, but if he could not, then to hold firm for a few days, that ships would remain on both sides and he would give guaranty immediately. The *Boston* and *Marblehead* reached Panama on the 7th. The *Disie* arrived with her battalion of marines on the 5th. On that day Arango, one of the junta, expressed his acknowledgments to the officers of the Panama Railroad in the following letter:

Allow me to address these lines to you in Spanish to truly express my sentiments toward you. To you, in great measure, the public owes its salvation from the horrors of bloody strife, to you, our constant and valorous coworker; also to brave Col. Shaler and our determined friend, Capt. Beers.

These officials were under the direct control of Mr. Cromwell. They must have acted under his orders. He did not hesitate to utilize their control of the railway, built by the consent of Colombia upon her own soil, to tear her asunder. Corporate rapacity here reached its high-water mark.

On November 6 the Republic was formally proclaimed in Colon. Its flag was hoisted by Maj. William M. Black, of the United States Army, in full uniform.

Certainly no previous expedition had ever gone to the extent not only of recognizing the insurrection but of recognizing it in the person of a United States officer, who had conferred upon him the honor of raising the first flag of the Republic of Panama.

Mr. POMERENE. Mr. President, how many hours intervened between the alleged insurrection and the time of this occurrence?

Mr. THOMAS. I will come to that later. It was quite appropriate, for this officer symbolized the Government whose aid and activity made the revolution possible. But it served as well to advertise to the world the shameless overthrow of Colombian sovereignty over the Isthmus by a President whose oath bound him to respect treaties made under the authority of the United States, which are declared by the Constitution to be the "supreme law of the land." The junta at once cabled Secretary Hay that—

Colon and all the towns of the Isthmus have adhered to the declaration of independence proclaimed in this city. The authority of the Republic of Panama is obeyed throughout its territory.

But the interior of the Isthmus had not then heard of the insurrection. Moreover, a dispatch from the Navy Department, which Mr. Roosevelt also withheld from the Congress, from one of the naval commanders states how he afterwards went with officials of the Government to persuade a portion of the Isthmus to recognize the junta.

Before Colon had proclaimed the Republic, and while the insurrection was still confined to the town of Panama, the junta on November 5 cabled Secretary Hay that it had—

Appointed Señor Philippe Bunau-Varilla confidential agent of the Republic of Panama near your Government, and Dr. Francisco V. de la Espriella minister of foreign affairs.

On November 6 Consul Ehrman confirmed this cable. Within an hour of its receipt Secretary Hay cabled Mr. Ehrman that—

The people of Panama have by an apparently unanimous movement dissolved their political connections with the Republic of Colombia and resumed their independence. When you are satisfied that a de facto government, republican in form, and without substantial opposition from its own people, has been established in the State of Panama, you will enter into relations with it as the reasonable government of the Territory and look to it for all due action to protect the persons and property of the citizens of the United States and to keep open the Isthmian transit in accordance with the obligations of existing treaties governing the relations of the United States to that Territory.

The crowning act of this political tragedy is found in a cable of Secretary Hay to our minister at Bogota on the same day. It reads:

The people of the Isthmus, having by an apparently unanimous movement dissolved their political connections with the Republic of Colombia, and resumed their independence, and having adopted a government of their own, republican in form, with which the Government of the United States has entered into relations, the President of the United States, in accordance with the ties of friendship which have so long and so happily existed between the respective nations, most earnestly commends to the Governments of Colombia and Panama the peaceful and equitable settlement of all questions at issue between them. He holds that he is bound, not merely by treaty obligations but by the interests of civilization, to see that the peaceful traffic of the world across the Isthmus of Panama shall not longer be disturbed by constant succession of unnecessary and wasteful civil wars.

The comment of Mr. Leander T. Chamberlain is here more appropriate—

Thus at 12.51 midday, November 6, 1903, the President recognized the new nation of Panama—from November 2 of the 50-mile order, four days; from 7.10 p. m. of November 4, when announcement came that a proclamation of independence had been issued by the insurgents, 1 day 17 hours and 41 minutes. Beyond peradventure civilized diplomacy affords no analogy of that recognition.

The mortal insolence of this message to Bogota is equaled by its mendacity. Beyond its reference to the friendly relations theretofore existing between the two nations it is a misrecital of the facts. The only "relations" Mr. Hay had entered into with Panama was his cable of the same date to Mr. Ehrman, and that permitted the latter to enter them when satisfied that a government "republican in form had been established." Yet no government whatever had been established save the self-appointment of a junta in Panama City, which assumed and usurped all the powers of a government. Such was the message through which our Government informed Colombia that her territorial integrity had been outraged and advising her to negotiate her differences with her subjects of the day before.

The Secretary's reference to civil wars upon the Isthmus was equally at fault. Since our treaty of 1846, 57 years before, transit was partially interrupted for a total period of 164 days and upon few occasions. And we have seen what the "unanimous" movement was. In his subsequent message to Congress, Mr. Roosevelt said the Isthmus had "risen as one man," and Senator Carmack very aptly retorted that the one man was Mr. Roosevelt himself.

On this eventful day, the junta cabled their appointment of Bunau-Varilla as envoy extraordinary. The next morning this French "señor," in a flamboyant letter to Mr. Hay, formally announced his appointment. His "credentials," which had been prepared beforehand in New York or Washington, were promptly accepted, and through him the canal treaty was at once negotiated. Mr. Cromwell received his \$40,000,000, and as the junta made him Panama's fiscal agent, he also received for investment the \$10,000,000 stipulated as its compensation by the treaty.

The job was finished. Mr. Roosevelt acquired the right of way for the canal from a band of filibusters by bartering for it the honor of the Nation.

Not quite finished. For nearly four months afterwards he patrolled the waters of the Isthmus with our gunboats, and at one time invaded the soil of Colombia south of the Panama boundary in the search for possible invaders of his precious Republic.

When Secretary Hay, on November 7, officially announced the President's recognition of the new Republic, he said:

The action of the President is not only in strict accordance with the principles of justice and equity, and in line with events precedent of all public policy, but it was the only course he could have taken in compliance with our treaty rights and obligations.

And Mr. Roosevelt, in his message to Congress, cast this bouquet at his own feet:

The United States has many honorable chapters in its history, but no more honorable chapter than that which tells of the way in which the right to dig the Panama Canal was secured.

This is a libel upon American history.

This original and only "mandatory of civilization" has also said of the transaction that "we did harm to no one, save as harm is done to a bandit by a policeman who deprives him of his chance to blackmail." But our policeman President was the protector of the bandit and purchased the fruits of his crime. It is far more manly to rob a man of his property than to hire another to do so, and then secure the property from the thief.

The London Graphic very pertinently said at the time:

We regret exceedingly that President Roosevelt has allowed the fair name of his administration to be smirched by a transaction so utterly at variance with the most elementary principles of public law and international morality. We can not conceive a more lamentable outrage upon the public conscience of the civilized world.

Mr. Roosevelt has on more than one occasion since his retirement from the White House been candid enough to admit his duplicity in the theft of Panama. On March 23, 1911, he said:

I am interested in the Panama Canal because I started it. If I had followed traditional conservative methods, I should have submitted a dignified State paper of probably 200 pages to the Congress, and the debate would have been going on yet. But I took the Canal Zone and let Congress debate, and while the debate goes on the Canal does also.

On January 24 last he expressed himself in similar fashion.

Since Mr. Roosevelt's death Mr. Abbott has published a number of articles entitled "New facts about Theodore Roosevelt," and among other things in the August, 1919, number of World's Work he publishes in facsimile an interview "concerning the personal relations of President Taft and Mr. Roosevelt never before published." This interview was sent to Mr. Roosevelt after it was written, and that gentleman made certain comments in writing upon its margin before returning it. Referring to that part of this interview which credited Mr. Roosevelt with being responsible for Mr. Taft's nomination, Mr. Roosevelt wrote:

But it is so. I could not have nominated an extreme progressive or extreme conservative, but I could by a turn of the hand have thrown the nomination to either Taft or Hughes. The only way to prevent my own nomination was for me entirely to champion and to force the nomination of some one else; I chose Taft rather than Hughes, and I still think I was wise.

I am reading that to emphasize the positiveness of the ex-President's statement, which is nothing if not positive. But his next note, written on the same margin, reads thus:

The mere force of events had made me strike absolutely my own note by October, 1902—

instead of that of McKinley—

when I settled the coal strike and started the trust-control campaign. In 1903 I took Panama.

There it is in his own writing; not "the Canal Zone," but "Panama." If that testimony, supplied by one of the lamented President's closest friends and greatest admirers, does not confirm every fact and every incident of this story, then I am at a loss to know what construction can be placed upon it. There is nothing dubious or ambiguous about this statement nor is credit given to anybody else. "I took Panama in 1903." To say that this statement should be taken in conjunction with modifying circumstances is to say that the notation upon this interview was not as fair and as square as the statements and the positions of Mr. Roosevelt are claimed to be by his friends, and particularly by his posthumous admirers. It furnishes, in

my judgment, all that is needed, if anything more be necessary, to demonstrate the unquestioned fact that this so-called insurrection had its inception immediately after or just before the rejection of the treaty by Colombia, not by the direction or the initiative, but certainly with the tacit connivance, and subsequently with the support, of the administration.

It is interesting to note that when in 1915 Mr. Roosevelt, after commending them, denounced the President because he did not sever relations with Germany when the latter invaded Belgium, Gen. Von Bernhardt was searching history for precedents justifying that outrage. He found but one and eagerly seized it. He said to us, "Your seizure of Panama was only justifiable on the ground that the future interests of the American people are higher and greater than the abstract principles of international law." And Baron von Hengelmüller, formerly Austrian ambassador to the United States, also "finds in all the annals of the nations no such glorious justification of what Germany did to Belgium as is to be had in the brief and simple record of what Roosevelt did to Panama." At last his conduct has been properly classified. He did not overrun Colombia's territory and slaughter her defenseless citizens, because he met with no resistance. Had Colombia drawn the sword the outrages of Belgium might have found their prototype upon the Isthmus.

Mr. President, this episode of our history is humiliating from every angle. But its sordid side is its worst one. For Mr. Roosevelt lent his great influence as President and enlisted the armed power of his country to William Nelson Cromwell that he, Cromwell, might secure \$40,000,000 for his client. He could not do it while Colombia barred his path with her just demands. He could remove her only by robbing her of her domain and of her investments in his company. To accomplish his canal program Mr. Roosevelt shaped the policy of his Cabinet and mobilized the Navy for the undoing of Colombia. At the behest of Cromwell and Bunau-Varilla he divided one nation and inflicted an indelible reproach upon the good name of another, that a private corporation might reach the Treasury of the United States. Surely this was not essential to any end, however important.

A treaty is a solemn convention between independent nations, each acting for itself and in its own interest. But the treaty between the United States and Panama was a farce and made to shelter a crime. Panama's junta, selected at midnight by less than 12 conspirators, were the creatures of Cromwell. Bunau-Varilla, their French coadjutor, was made their envoy extraordinary, by telegraph, as previously agreed, for no other purpose than to negotiate the treaty.

Mr. President, when this subject was first before the American people former Senator Carmack, of Tennessee, took occasion to investigate the record of the man Bunau-Varilla, which I shall not at this time read, but there may be those who hereafter will be interested in ascertaining something of the record and antecedents of this adventurer. They will find what I have been unable to discover has been contradicted in volume 38, part 2, of the CONGRESSIONAL RECORD, and in the same volume, part 3, on pages 1770 and 2200, respectively, a full account of the antecedents and career of the man. I will, however, read a short extract from page 1770:

Bunau-Varilla, now minister from the State of Panama, but a citizen of France, was one of the earliest and most active supporters of this conspiracy against the integrity of Colombia. This much we know. This man was connected with the old Panama Canal Co., and the official records of his own country, including the report of the minister of justice, show that he was one of the worst of the crew whose thieving operations bankrupted that concern, brought gray hairs of De Lesseps in shame and sorrow to the grave, and covered the French Government itself with odium and disgrace. I shall not cumber the record with quotations from official French records, but they are as I have said.

These extracts have already been published in the newspapers, and their authenticity, so far as I know, is undoubted. I presume that no man here will deny that authenticity. This man is also connected with the new company, a penniless concern, organized simply to sell the wreckage and debris of the old company to the United States for as many millions as it could get, and, incidentally, to gamble in its own stocks. This company was to get \$40,000,000 by the ratification of the treaty with Colombia, and not a dollar if that treaty should fail. As the time fixed by law for the ratification of the treaty began to approach, with every prospect of its being defeated, the stocks of this company rapidly declined. Then it was that Bunau-Varilla left France and came to the United States.

He at once entered into relations with certain disaffected persons in Panama to bring about an insurrection in that Province. The charge is made in a reputable newspaper that Bunau-Varilla agreed to furnish money, and did furnish money, through his stock-jobbing French syndicate, to promote this insurrection by the bribery of Colombian officers and soldiers. The very amounts of money sent by him to the conspirators in Panama are given, the very dates on which it was sent and received, and the names of the banking corporations through which it was paid.

And this is not all nor the worst. Bunau-Varilla engaged with these conspirators to bring the Government of the United States to the support of their conspiracy. This statement is not based upon rumors nor the anonymous reports of a yellow newspaper. It is based

upon the admissions of the conspirators themselves and upon the authority of a gentleman of the highest character and standing, Mr. Merrill A. Teague, a staff correspondent of leading Republican newspapers. His statements have been published broadcast, in the very organs of this administration, and no man has denied them.

At length in the subsequent volume the same Senator details the incidents which I think fully justify the conclusions which I have just read.

Bunau-Varilla was a shareholder in and agent of the company, while the treaty itself was prepared by Cromwell in advance of the revolution. This was the combination which the President of the United States welcomed to his council table to contract for a canal zone. The traveler from Jerusalem to Jericho fell among people of the Cromwellian stripe. But a good Samaritan afterwards crossed his way and gave him aid and comfort. No such good fortune attended Colombia. Roosevelt "took the zone"; Varilla sailed back to France, where he cashed in to the company; and Cromwell—what should be said of him—the archplotter of his time, the manipulator of legislation, the adviser of home and foreign ministers, the designer of successful revolutions, the master of intrigue, the betrayer of his country's honor among the nations? Macaulay turned aside from more congenial tasks to review the career of Barère and "gibbet the carrion" upon an "eminence of infamy." Charles II permitted his harlots to barter with Louis XIV for England's prestige, and Benedict Arnold plotted with his country's enemies for the undoing of his own. The inexorable judgment of history has long since assigned to these their appropriate places in her records of infamy. Her verdict of Cromwell will be made when time shall have crystallized the story of Panama into the stratum of history. And we may be sure it will be as just as it will be inexorable.

Mr. President, for 17 years Colombia, conscious of her weakness and jealous of her integrity, has knocked at our doors and asked for reparation. She has been a supplicant for simple justice. She has asked for arbitration and reminded us more than once that we are its most earnest advocate. President Taft, conscious of her injuries, negotiated the outlines of a treaty designed to meet her claims.

President Wilson took up the good work, and long ago laid a treaty before us for ratification, differing but slightly from that approved by his distinguished predecessor. It accepted the Panama revolution as an accomplished fact. It made due acknowledgment of Colombia's rights and of our injustice to her. It substituted a payment of \$25,000,000 in partial reimbursement of the stupendous losses she incurred through the Cromwell insurrection.

That treaty encountered the vociferous denunciation of Mr. Roosevelt, who shrank from the imputation which its ratification would impose upon him. He would have had this great and magnanimous people refrain from acknowledging his error as their Chief Magistrate by pointing to the completed canal as his vindication. That treaty died upon our calendar, and is succeeded by one which merely makes indemnity. Unfortunately it is all that we can do, and I therefore support it.

Mr. President, we should not be deterred by this or by any other consideration from compliance with the requirements of the national conscience. We preach the doctrine of right as against the doctrine of might. We denounce the German disregard of treaties and of international justice, yet we alone have supplied her with a precedent. In democracy's cause we challenged Germany to the ordeal of battle and sounded a trumpet call to all the democracies of the world. Our cause was that of all Republics. South America knows this well. She thrilled to the sublimity of our purpose, yet she hesitates to open her arms to us. Her people point to Colombia in silent but eloquent inquiry. We know too well what that inquiry is. We can not answer as we would like to, but as we must, for true democracy is founded upon justice. Between justice and our offense against Colombia there can be reconciliation only through national atonement. Between right and the offense there can be no adjustment save reparation. Until these things are done our championship of small nations and weak peoples are as the sounds of tinkling cymbals. When we shall have squared our actions to our sentiments and purged our record from the damning reproach of Cromwellian diplomacy, Latin America will grasp our extended hand, and with responsive good will Pan America will then assume the material proportions of an enduring structure. Our political and economic relations will be close, cordial, and profitable. The Monroe doctrine, reincarnated by the baptism of our blood and sacrifice, has been set upon eternal foundations. When we do justice to Colombia it will appeal to Latin America as never before and be welcomed as the perpetual guaranty of its immunity and independence.

Mr. KELLOGG. Mr. President, with the indulgence of the Senate I shall at some future time discuss the Panama treaty; but I can not sit in the Senate of the United States and listen to reflections upon the character and statesmanship of Theodore Roosevelt without expressing my protest.

The Panama Canal, the history of its acquisition and construction, is an open book, which has been discussed in the Congress and investigated by committees. I believe Mr. Roosevelt's action is supported by the judgment and the voice of the American people and of the civilized world. Not only that, but John Hay, a great Secretary of State, and Elihu Root following him, wrote the history of Panama and sustained the action of President Roosevelt. So did Secretary Knox in the Cabinet of Mr. Taft.

Mr. Roosevelt is quoted as saying, "I took Panama." Did he ever say he took it from Colombia unjustly or in any manner except, according to the principles of international law, in his right to recognize any country declaring its independence? Does the Senator say that our treaties guaranteed Colombia against revolution? If he does, he was contradicted by every Secretary of State from Mr. Seward to the present time. Does he say that the revolution was an exceptional one? If he does, I answer him that there were 50 revolutions in almost as many years in Colombia.

Mr. POMERENE. Mr. President—

The VICE PRESIDENT. Does the Senator from Minnesota yield to the Senator from Ohio?

Mr. KELLOGG. I yield.

Mr. POMERENE. Can the Senator point out anything in our treaty obligations which authorizes the United States to prevent the landing of Colombian troops when Colombia sought to suppress an insurrection in her own territory?

Mr. KELLOGG. Yes; I can. I refer to our obligation to protect the route across Panama, which we had done many times before, and that is what we did at that time. We owed it not only to ourselves but to the nations of the world and to our treaty rights to protect that route across Panama.

I am not, however, going to discuss the merits of the treaty at this time. It has been done, as I said, by distinguished Secretaries of State, by Mr. Roosevelt, and by historians of admitted ability. In my judgment, it is one of the great acts of a great President in a great era of American history. I shall take occasion, when the treaty comes before the Senate, or previously, with permission of the Senate, to discuss it.

Mr. THOMAS. Mr. President, I hope the Senator will, before my term of office expires, discuss this very important proposition, for it is not settled and will never be settled until the United States shall ratify some sort of a treaty with Colombia.

I know that in these days Mr. Roosevelt is sacrosanct. Indeed, those who were most frequently engaged in criticizing and condemning Mr. Roosevelt's courses and policies and politics seem now among the loudest not only in defending his memory but in resenting any statement or expression which seems to reflect upon him. I do not, of course, in that statement include the Senator from Minnesota, because I know that he has at all times been a close and constant and faithful friend and supporter of Mr. Roosevelt, but if anything were more conspicuous than another during the late campaign it was that Mr. Roosevelt, formerly a liability, has by his death become the chief asset of the Republican Party.

I have never said of or to Mr. Roosevelt while living anything that I would not feel and do not feel it my duty to say now. I have always given him credit for many things, for great ability, for a good record, interspersed in many places, however, by acts and policies and opinions and statements to which I could not lend my approval.

I preceded my discussion—and I am sorry that the Senator did not hear it—with an assurance from Mr. Roosevelt himself that whatever could be said with truth and propriety should be said without regard to the man or his condition. I know this will be an active question before the next Congress, if not before this one. The results of the care and investigation which I have sought to give to this subject I have thought fit to lay before the Senate before I retired from it, thinking and hoping that it may be of some consequence, possibly of some benefit, in the discussion which will precede final action upon this treaty.

Now, Mr. President, just a word regarding the treaty of 1846. I think the Senator will find down to 1901 great difficulty in discovering any expression of opinion or any statement made by our Secretaries of State and others in authority which in the remotest degree justify the existence of a right of the United States under that treaty to interfere with Colombia to hinder or preventing her efforts from suppressing insurrection. That is not essential to free transit of the Isthmus, else the treaty would not have provided, as I think it does provide, that Colom-

bia shall herself have the right of transit for just such crises as confronted her in 1903. The Senator will have great difficulty, examine and investigate as he will the fifty-odd insurrections to which he refers, in finding anything that approaches a vaudeville insurrection like this, following upon the heels of a rejected treaty and culminating in the dismemberment of a friendly Republic. And if the Senator can successfully maintain the proposition that under our treaty guarantee to Colombia of her sovereignty over the Isthmus we can find warrant for depriving her of it, or even of recognizing its transfer to another, I shall cheerfully acknowledge him as the most accomplished dialectician and the most competent statesman in the long list of America's distinguished sons.

SETTLEMENT OF WAR LOANS.

Mr. McKELLAR. Mr. President, on Thursday, December 23, I made some remarks in this body relative to the securing of long-time bonds of foreign Governments to which we loaned money under acts of Congress passed in 1917 and 1918 and collection of interest due and past due on such loans. In the Washington Post of December 30, 1920, in an article by the Associated Press, it is stated that the Secretary of the Treasury is now planning an exchange of the obligations due from Great Britain into long-time bonds, as required by the acts referred to, and that the British Government is sending a London official to confer with Secretary Houston in reference to said loans.

I ask unanimous consent to have inserted in the Record at this point the article from the Washington Post.

The VICE PRESIDENT. Without objection, permission is granted.

The article referred to is as follows:

PLAN BRITISH REFUND—LONDON OFFICIAL COMING SOON TO CONFER WITH HOUSTON—DEBT IS NOW \$4,196,000,000—MODERATE SINKING FUND WITH EARLY FIRST PAYMENT, UNITED STATES WISE—LONG-TIME BONDS IN EXCHANGE FOR DEMAND NOTES VIRTUALLY AGREED TO—DETAILS, SUCH AS INTEREST, YET TO BE FIXED—NEGOTIATIONS UNDER WAY, TOO, WITH OTHER OF ALLIES OWING AMERICA MONEY.

[By the Associated Press.]

A representative of the British treasury will reach this country soon, Secretary Houston said yesterday, to continue in Washington the discussion of the exchange into long-time obligations of the demand notes of the British Government held by the United States.

The British debt at this time is \$4,196,000,000. Under the Liberty bond act the Secretary of the Treasury is authorized to effect the exchange at a rate of interest not less than that borne by the demand instrument, Secretary Houston said.

PERMITTED BY LIBERTY ACT.

"The Victory Liberty loan act," said Mr. Houston, "provides that obligations of foreign Governments acquired by virtue of the provisions of the first Liberty bond act or through the conversion of short-time notes acquired under that act shall mature not later than June 15, 1947, and that all others shall mature not later than October 15, 1938. I am of the opinion that, if they so desire, the respective foreign Governments should be given the benefit of the full period thus permitted. The long-time obligations should, I believe, contain a provision for a moderate sinking fund, the first payment on which should be made at a reasonably early date."

Outlining the general policy for the exchange of demand obligations to long-time obligations, the Secretary said the United States should be given the right to use obligations held by it in settlement of war claims against the United States.

Long-time bonds, he said, should provide for accelerating the payment of all deferred interest whenever the currency of the Government in question over the foreign exchange reaches a price approximating the gold import point, and while the exchange remains not lower than that figure, and that if this should happen before the deferred-interest period has expired, no further interest should be deferred.

WITH EACH ALLY SEPARATELY.

Discussions with the British representative, Secretary Houston said, will be confined to the exchange of the obligations of that Government, as it is the policy of this country to deal separately with each of the allied nations to whom loans have been made.

Discussions carried on in Europe with the other nations indebted to the United States, the Secretary said, have not reached a stage so advanced as those with the British Government. The British negotiations, he said, had progressed to the point of a general understanding, but the details remain to be worked out and will be taken up with the British treasury official here in Washington. The questions of interest rates and of the forms of the various long-time bonds which may be adopted are yet to be decided, the Secretary intimated.

WILL REGULATE GOLD EXPORTS.

"The obligations should contain suitable provision for their conversion into bonds of small denominations or for their payment, at option of the obligator, in lieu of such conversion," Secretary Houston said. "To prevent or curtail gold exports from the United States they should contain an agreement by the debtor Government to offer demand drafts payable in its currency at a figure to be fixed, substantially the gold export point, and to apply the proceeds to deferred interest and then to principal, current interest to be adjusted accordingly. Sinking-fund payments should be provided to be made in gold coin of the United States or in the currency of the debtor Government at the par of exchange, if the holder shall so request."

Actual exchange of the securities will not be made at the coming conference here, the Secretary said, adding that the documents of the agreement would probably be drawn up for presentation to each of the contracting Governments before the transfer of the securities is made.

Mr. McKELLAR. Mr. President, I wish to congratulate the Secretary of the Treasury upon acting in the matter. I feel sure that he will act promptly, not only in reference to the

British loan but in respect to all other loans. His authority is ample, as is shown by the acts of Congress, and his powers are plain and full. I am not sure that he is authorized by the act referred to to offset indebtedness that may be due from our Government to England. However, that would be for him and the legal department of the Government to determine. He can do nothing except what the act authorizes.

I want, also, to congratulate the British Government upon taking steps to meet its obligations. In view of her power and prestige and splendid record, I could not see why the matter had been delayed. I hope I may soon have the pleasure of congratulating our other allies on their prompt settlement of their loans.

I sincerely trust that the conferences between our Government officials and the officials of foreign Governments to which we have made loans will be expedited, so that the whole matter may be settled during this administration. It ought not to be one of the matters left open. It would be a reflection upon a Democratic administration that it ought not to bear. I wish, again, to congratulate Secretary Houston, and to express the hope that these matters now started will be settled with all possible dispatch.

ATMOSPHERIC NITROGEN.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 3390) to provide further for the national defense; to establish a self-sustaining Federal agency for the manufacture, production, and development of the products of atmospheric nitrogen for military, experimental, and other purposes; to provide research laboratories and experimental plants for the development of fixed-nitrogen production, and for other purposes.

[Mr. STANLEY addressed the Senate. After having spoken with interruptions for about an hour, he yielded the floor for the day.]

Mr. SMOOT. I move that the Senate adjourn.

The motion was agreed to; and (at 4 o'clock and 30 minutes p. m.) the Senate adjourned until to-morrow, Tuesday, January 4, 1921, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

MONDAY, January 3, 1921.

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

O love ineffable, from whose substance proceedeth life, its environments and splendid opportunities. We would worship Thee in spirit and in truth, for the Father seeketh such to worship Him. Home, society, government, and brotherly love wait on us for righteousness, truth, mercy, and justice, that Thy kingdom may come and Thy will be done in earth as it is in heaven, through the spiritual gifts of Christ which is life eternal. Amen.

The Journal of the proceedings of Friday, December 31, 1920, was read and approved.

WITHDRAWAL OF PAPERS.

Mr. WALSH, by unanimous consent, was given leave to withdraw from the files of the House, without leaving copies, papers in the case of H. R. 7619, Sixty-sixth Congress, no adverse report having been made thereon.

SENATE JOINT RESOLUTION SIGNED.

The SPEAKER announced his signature to enrolled joint resolution of the following title:

S. J. Res. 227. Extending the time within which the special joint committee appointed to investigate the advisability of establishing certain naval, aviation, and submarine bases in the United States is required to make its report to Congress.

ORDER OF BUSINESS.

The SPEAKER. To-day being unanimous-consent day, the Clerk will call the roll of committees.

Mr. GOOD. Mr. Speaker, is it in order to move to go into Committee of the Whole House on the state of the Union for the consideration of the sundry civil appropriation bill?

The SPEAKER. That question the Chair thinks has not been decided. The rule says that on this day the Chair shall order the Clerk to call the roll of committees to consider bills on the Unanimous Consent Calendar. Whether a motion to take up a privileged bill like this is in order has not been decided.

Mr. GOOD. Mr. Speaker, I ask unanimous consent that the Unanimous Consent Calendar be dispensed with to-day.

Mr. STEENERSON. Reserving the right to object, I would like to know when it will be in order to take up the Unanimous Consent Calendar.

Mr. GOOD. We have some of these large appropriations ready, and I think before long there will be a day or two when matters of this kind can be taken up.

Mr. STEENERSON. I want to say that these bills are not factious, but if they are not soon got over to the other end of the Capitol it will be difficult to get action at this session. I have particularly in mind a flood control bill that is very urgent.

Mr. GOOD. I understand that there are some meritorious and urgent bills that ought to be taken up, but it seems to me that when we have a large appropriation bill for consideration, it ought to be proceeded with. There will be ample time during the session to take up the Unanimous Consent Calendar.

Mr. STEENERSON. I do not want to antagonize the committee, but it seems to me that we ought to give consideration to the small matters, because it is not going to take very long to consider them.

Mr. MONDELL. I hope the gentleman from Minnesota will not object to the request of the gentleman from Iowa. I think within a reasonable length of time we can reach the Unanimous Consent Calendar, upon which I know there are some meritorious and urgent matters, and have them disposed of.

Mr. BLANTON. A parliamentary inquiry, Mr. Speaker.

The SPEAKER. The gentleman will state it.

Mr. BLANTON. Now that the Speaker has conformed to the rule by directing the Clerk to call the Unanimous Consent Calendar, would it not be in order for the gentleman from Iowa to move to go into Committee of the Whole House on the state of the Union?

The SPEAKER. That is just what the Chair stated he thought had not been decided.

Mr. GARNER. I hope the Chair will not make any ruling until it can be thoroughly considered.

The SPEAKER. The Chair will not.

Mr. STEENERSON. In view of what the gentleman from Iowa and the gentleman from Wyoming have said, that there might be an opportunity soon for the consideration of the Unanimous Consent Calendar, I will not object.

The SPEAKER. Is there objection?

Mr. MANN of Illinois. Reserving the right to object, and I will not object for to-day, if it should become the rule and practice of the House to dispense with the calling of bills upon the Unanimous Consent Calendar, all Members of the House might as well kiss Washington good-by except the members of the Committee on Appropriations.

Mr. GARNER. If the gentleman will yield, the gentleman recollects when the rule was adopted?

Mr. MANN of Illinois. I recall that the practice under the rule ever since has been that the calling of committees under the rule was obligatory and highly privileged. Members can, by objecting; very quickly dispose of the Unanimous Consent Calendar.

Mr. GARNER. Will the gentleman yield?

Mr. MANN of Illinois. Yes.

Mr. GARNER. This rule was adopted under very peculiar conditions, and I think if the gentleman from Illinois [Mr. CANNON] was here he could relate some circumstances about it. Mr. MANN of Illinois. I drew the rule myself.

Mr. GARNER. It gave us the only right we have to take up bills by unanimous consent, and instead of having to go to the Speaker and ask permission to get unanimous consent to consider the bill. I think it would be unfortunate if the Speaker should hold that a majority of the House could take away that right and privilege which exists now and force the membership of the House to go to the Speaker as they did 8 or 10 years ago. While I have no objection to doing away with the Unanimous Consent Calendar to-day, I should strongly object to a policy being adopted by which the majority can go into Committee of the Whole House on the state of the Union and do away with the Unanimous Consent Calendar.

Mr. GARD. Has the gentleman indicated any time when the Unanimous Consent Calendar can be taken up?

Mr. GOOD. The situation is this. There are now pending before the Committee on Appropriations such tremendous demands for deficiencies—more than \$200,000,000 for the Navy—all told, more than \$450,000,000 for deficiency appropriations. Now, these estimates are not quite ready to commence hearings upon. The bill will be prepared so that we can commence hearings next Wednesday morning. I am making this request in order that the sundry civil bill may be out of the way so